

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC



YTS
To :

[Redacted]

am/YTS

Date 1/14/86

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From :

[Redacted]

RWS/YTS

Subject : ⁰BRIBERY-PERCY SUTTON
194-5245

The above-captioned file is being removed from the Special File Room of the Records Section, Records Management Division.

See 66-1855-D-3218 for authorization to remove above captioned file from Special File Room.

194-5245-

1985
1986
1987

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1,2,3 DE/mb

[redacted] Deputy Chief
Organized Crime and Racketeering Section
Criminal Division

1/15/85

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[redacted] Unit Chief
Organized Crime Section
Criminal Investigative Division

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People v. Schiavone Construction Corp., et al
People v. Masselli [redacted]

Pursuant to directives, a review of the TUMCON File (NY 183-1290), auxiliary office files, and the file of the [redacted] was accomplished by a special team of agents assembled for this purpose.

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The documents enclosed with this memorandum represent those found to be potentially relevant to the possible violation(s) enumerated below. The documents consist of: 1) transcripts of recorded conversations obtained through appropriate court orders, 2) interviews of selected individuals and 3) other potentially relevant documents obtained from the file review.

The documents in this package represent those potentially relevant to any possible violations concerning bribes paid through a former N.Y. City Borough President Percy Sutton to obtain contracts for [redacted]

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This memorandum with enclosures is forwarded to you for your determination if sufficient evidence exists to warrant prosecution, if further investigation is recommended, or for any other action you deem appropriate. Two factors should be taken into immediate consideration. One is that the active investigation represented by the enclosed documents cover the time period from September, 1978, to early 1981. Therefore, a statute of limitations issue is present which demands immediate attention to preclude potential violations becoming non-prosecutable. The other factor of which you are aware is the pending criminal cases by the Bronx District Attorney listed above involving many of the principals of the TUMCON investigation. With these factors in mind, a determination on this matter is requested as expeditiously as possible. We request your determination by return memorandum.

DE/mb N 194-5245-4

3 - ENCLOSURE

13 MAY 1985

19 JUL 1985



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

115B

In Reply, Please Refer to
File No.

File # 183-1290

SDNY # 343

Date

Time

Monitoring Agents

SA
SA

Transcribed by

SA

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194-6245-1

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2016 BY 60324 UC BAW/SAB/LSC



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
New York, New York

In Reply, Please Refer to
File No.

SDNY # - 350

File # - 183-1290

[Redacted]

Date -

Time -

Monitoring Agent - SA

Transcribing Agent - SA

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[Redacted]

Unknown Female - UF

Unintelligible - UI

Phonetic - PH



ENCLOSURE

194-5245-1



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York

SDNY # 350

File # 183-1290

Date

Time

Monitored By

SA

Transcribed By

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194-5245-1

ENCLOSURE

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

Date

MAR 22 1985

Subject

TUMCON

PEC:sfh

To

John E. Otto
Executive Assistant Director
Federal Bureau of Investigation

From

PRC
[Redacted] Deputy
Chief, Organized Crime
and Racketeering Section
Criminal Division

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As you know, Labor Unit Chief [Redacted] and a team of Special Agents and analysts ("Q-Team") have recently concluded a thorough reassessment of the TUMCON file. [Redacted] has transmitted to me approximately thirty packets for a determination whether further investigation or prosecution appears appropriate.

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At the outset, a few general comments might be helpful. First, I cannot praise the members of Q-Team too highly for their outstanding assistance and analysis. They did a superlative job.

Second, it is my role to assess the potential prosecutive merits of each packet and communicate my recommendations to your office and to the United States Attorneys in Manhattan and Brooklyn, or to local New York City prosecutors, as warranted. My recommendations are not prosecutive decisions; someone else might well view differently the merits or demerits of a particular case. It is important to note that federal prosecutors in 1979-1980 were in a far better position to make prosecutive decisions when the evidence and witness recollections were fresh. Since that time, [Redacted] subpoenaed to the grand jury in 1980 have been [Redacted] And a combination of plea agreements and the Statute of Limitations now precludes prosecution of otherwise sound cases.

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Third, the prosecutors to whom my recommendations are forwarded may conclude that some allegations, even if theoretically prosecutable, no longer warrant the expenditure of limited agent and attorney resources.

And fourth, a lot of criminal activity uncovered in TUMCON that could have been prosecuted or further investigated was passed up because of problems created by [Redacted]

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19 JUL 1985 *AR*

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ing to J... 3/28
cc - [Redacted]

I.

For subsequent reference, I have assigned, in no particular order, these captions to your investigative packets:

- 01) Long Island Railroad Bribery
- 02) [redacted] Background Information
- 03) Erika Bunne Homicide
- 04) [redacted] Bribery
- 05) [redacted] Bribery
- 06) Flushing Airport Bribery Conspiracy
- 07) Extortion by John Ardito of Joseph Ippolito
- 08) Perjury by William Masselli
- 09) Bribing of [redacted]
- 10) Bribery of [redacted]
- 11) Bribery of [redacted]
- 12) Cuban Narcotic Allegation
- 13) Alleged Bribe of Mario Biaggi
- 14) Bribery of [redacted]
- 15) Labor Shakedown: [redacted]
- 16) Bribery: [redacted]
- 17) Loansharking: [redacted]
- 18) FASTRAX
- 19) Conspiracy to Murder [redacted]
- 20) Bribery: Percy Sutton
- 21) Rehabilitation of Seventh Ave., Harlem
- 22) Rehabilitation of Avenue St. John, Bronx
- 23) Rehabilitation of East Fordham Road
- 24) Bribery: Alphonse Indelicato
- 25) [redacted] Gun Trafficking
- 26) Takeover of Nargi Contracting & Trucking Co., Inc.
- 27) Financial Affairs of JOPEL Contracting & Trucking Co.
- 28) Fraud Relating to MBE Contracts
- 29) Summer Lunch Program
- 30) Arson of Cohar Construction Company

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II. STATUTE OF LIMITATIONS

The impact of the Statute of Limitations on crimes uncovered by the TUMCON Title III surveillance in 1979 is significant and must first be noted.

The general federal statute of limitation is five years, to be computed from the date that the offense was completed. Title 18 United States Code, Section 3282. See, United States v. Erb, 543 F. 2d 438, 446 (2d Cir.), cert. denied, 429 U.S. 981 (1976). Obviously, the government has a big problem with further prosecution of TUMCON evidence since the Title III shut down in [redacted]. Although [redacted] criminal activities undoubtedly continued through 1980, the evidence needed to demonstrate continuation of these crimes is mostly unavailable. By [redacted] for example, the TUMCON targets knew that [redacted]

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[redacted] corroborated

proof of earlier crimes to some extent but turned up very little evidence that these or other crimes were continuing. As a practical matter, therefore, the Statute of Limitations now bars prosecution of all but a few of the crimes uncovered in 1979. While it is probable that [redacted] continued to commit crimes after learning of the TUMCON investigation, it is doubtful whether prosecution of these more recent crimes could be undertaken without [redacted] time-consuming grand jury investigation.

III. PRIOR PROSECUTIONS

Although the TUMCON Title III uncovered evidence of at least thirty separate crimes, and perhaps a good deal more, the prosecutive process was greatly complicated by [redacted] the Title III coverage and while [redacted] This situation created a dilemma: Protecting [redacted] confidentiality might require the government to forego some very promising prosecutions. By letter dated April 14, 1980, to ADIC Neil Welch, AUSA [redacted] concluded that "the decision concerning which crimes are to be prosecuted, in light of its relationship to a possible court order requiring disclosure of the informant's identity, is solely within the province of the Federal Bureau of Investigation." The [redacted] letter noted six cases in which prosecution ^{1/} would jeopardize, to varying degrees, [redacted] confidentiality.

A. INDICTMENTS

1. Synthetic Cocaine Conspiracy: Between January-June 1979, William Masselli, [redacted] among others, conspired to manufacture synthetic cocaine. On [redacted]

[redacted] an excellent case was developed against the aforementioned indicted conspirators. (See p. 5 infra, for results of this prosecution).

2. Hijacking of Shrimp Load: On March 26, 1979, a load of 7,000 pounds of shrimp was hijacked in Manhattan [redacted] The hijacked load was delivered to Masselli Meats, whereupon Masselli [redacted] arranged for its distribution. [redacted] and others were also implicated in the distribution efforts. This hijacking was included as a

^{1/} See, Roviaro v. United States, 353 U.S. 53, 59 (1957).

As the above list indicates, over a dozen organized crime figures were prosecuted and three significant state cases are awaiting trial in Bronx and Suffolk Counties, all based upon TUMCON. In addition, William Masselli's storefront headquarters for hijacking, robbery, theft, and construction fraud was thoroughly dismantled. Unfortunately, the continuing controversy surrounding TUMCON has obscured recognition of these achievements.

On the other hand, it must be recognized that many promising TUMCON cases, especially in the white collar crime area, were prematurely terminated because of [REDACTED]. Were it not for RICO, the Statute of Limitations would bar prosecution of these cases. But RICO is available in this context only if the government can demonstrate that a defendant committed at least one criminal act 2/ (as part of the "pattern of racketeering") within the past five years. In almost every instance, proof is absent of a recent crime by a TUMCON defendant. Fortunately, since most of these targets are LCN members or professional criminals, it is more likely than not that additional evidence will surface to which earlier TUMCON-connected crimes can be connected. In our experience, especially in New York, LCN members often turn up as RICO defendants for crimes spanning many years; as the "enterprise," the LCN itself serves as the statutory nexus between newly discovered crimes and older, unprosecuted crimes 3/. It is my prediction that some of the evidence collected and analyzed by Q-Team will materially assist future prosecutions.

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IV. PREDICATE CRIMES

The following assessments are but brief summaries of each investigative packet; the relevant packets contain more detailed analyses. Not every crime uncovered by TUMCON will be assessed; moreover, as noted, there were assorted thefts, hijackings, and street crimes, both petty and serious, which were sorted out and prosecuted by the Manhattan United States Attorney's Office at the time Masselli, Michael Orlando, and others entered into plea agreements in 1980-1981.

2/ The effective reach of RICO is fifteen years so long as one predicate crime is no older than five years.

3/ Almost without exception, the high impact "family" RICOs now being prosecuted or developed include allegations of crimes once thought to be time-barred or nonprosecutable.

Principal Venue : EDNY; SDNY
 Principal Statutory Offense(s): RICO-murder
 State murder

Principal Target(s)

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As mentioned in Item 18,



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Recommendation: Case closed.

20. BRIBERY: PERCY SUTTON

Date of Offense : 
 Statute of Limitations : Probably Expired
 Principal Venue : SDNY
 Principal Statutory Offense(s): State bribery-RICO
 Principal Targets : 

No Ltr
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[redacted] That is the extent of this allegation.

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[redacted] Reinvestigation now would be unrealistic in view of the length of time that TUMCON has been exposed to potential targets.

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Recommendation: At best, [redacted] might warrant continued investigative attention to them should fresher allegations arise.

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21. REHABILITATION OF SEVENTH AVENUE, HARLEM

Date of Offense : [redacted]
 Statute of Limitations : Expired (?)
 Principal Venue : SDNY
 Principal Statutory Offense(s) : 18 U.S.C. §§1341, 371
 Principal Target(s) : [redacted]

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Recommendation:

[redacted] although it is difficult to conceive of any Masselli project that lacked fraud of some kind. While there is little prosecutive potential of this allegation based on the TUMCON case, it would be wise to determine exactly who [redacted] is and what his involvement, if any, has been in HUD projects during the past five years. If, for example, [redacted] followed through with the Harlem project, fraud could easily have occurred in the recent past.

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22. REHABILITATION AT AVENUE ST. JOHN, BRONX

Date of Offense : [redacted] - ?
 Statute of Limitations : Expired(?)
 Principal Venue : SDNY
 Principal Statutory Offense(s) : RICO-Bribery
 18 U.S.C. §§1341, 371
 Principal Target(s) : [redacted]

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As noted in Item 21, William Masselli was engaged, among other activities, in rehabilitation projects in New York City. Masselli's projects invariably mixed legitimate and illegitimate

likely to have engaged in violent acts on other occasions, if his reputation is any indication.

Recommendation: The government should attempt to develop this allegation into a prosecution or as leverage against the targets.

CONCLUSION

In my view the TUMCON investigation resulted in more quality indictments and prosecutions than has been publicly credited. By the same token many other good prosecutions and spin-off investigations were abandoned for one reason or another - but usually because [redacted] confidentiality would have been jeopardized. Ultimately most of TUMCON's organized crime type targets have been convicted or are now under indictment, whereas a high percentage of the public officials and white collar types slipped through the net. With one or two exceptions the Statute of Limitations bars reinvestigation of those who escaped prosecution based on the 1979 allegations. But I predict that TUMCON will yet contribute future dividends.

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I will be happy to continue as your coordinator with federal prosecutors in the New York-New Jersey area concerning TUMCON matters.

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC


To : Mr. Otto

Date 3/20/85

From : 

Percy Sutton

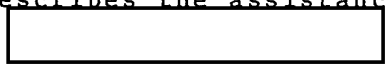
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Subject : People v. Schiavone Construction Corp., et al
People v. Masselli 

PURPOSE:

To provide you a recapitulation of the project assigned and handled by the Moody Task Force.



SYNOPSIS:

This memorandum memorializes the work performed by the Task Force. The memorandum sets out the mandate of the Task Force and the methods by which the task was accomplished. It synthesizes the thirty reports of possible violations of law prepared by the Task Force and the five other violations or possible violations wherein it was determined there was no need to prepare further reports. The memorandum also captures completely all of the files, in addition to the "TUMCON" file (NY 183-1290), that were reviewed by the Task Force in accomplishing its mandate. The memorandum also describes the assistance and relationship of the Task Force with  Department of Justice.

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RECOMMENDATIONS:

None. For your information.

1-Mr. Otto
1-Mr. Mintz
(Attn: 
1-Mr. Revell
1-Mr. Sharp
1-Mr. Bayse
1-Mr. Hoffman
1-
1-

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194-5245
30 MAY 1985

14 JUN 1985 *AR*

DETAILS:

On October 19, 1984, in a memorandum from EAD J. E. Otto to the Director, it was recommended that a review of the TUMCON file be undertaken to identify and present all information having potential for prosecution to the Department of Justice for prosecutive opinions. To accomplish this review, six experienced criminal investigative agents, none of whom had any past association with the TUMCON investigation, nor assigned to the New York office, were selected. These agents: SA [redacted] Alexandria; SA [redacted] Baltimore; SAA [redacted] Newark; SAA [redacted] Philadelphia; SAA [redacted] Pittsburgh; and SAA [redacted] Washington Field; hereafter referred to as the "Task Force," were temporarily assigned to this project under the supervision of Unit Chief [redacted] Organized Crime Section, Criminal Investigative Division, on October 29, 1984. This project was worked from a secure location at the FBI Academy, so as to insure few distractions and to maintain its integrity.

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The directive was for this Task Force to review the entire New York TUMCON File,* identify Federal violations of law and present these to the Department of Justice for a prosecutive opinion. The New York Office, over a period of several months, had previously prepared "prosecutive packages" containing summaries of alleged violations including pertinent [redacted] supporting evidentiary materials. These packages, however, were destroyed and were not available to the Task Force.

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Shortly after initiating this project, the review project was further expanded and the team was required to identify all information in the TUMCON file that based upon FBI knowledge, may be relevant to the pending prosecution of [redacted] William P. Masselli and others by the Bronx County, New York, District Attorney Mario Merola, and then forward this information to [redacted] Deputy Chief, Organized Crime and Racketeering Section, Criminal Division, Department of Justice, who would then determine if this information should be further disseminated or made available for review by Mr. Merola. Upon receipt of a letter from Mr. Merola the entire TUMCON investigative file was processed. The processing included arranging the transcripts, surveillance logs and photographs in chronological order and redacting information deemed privileged.

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* This file was delivered to the FBI Academy on October 29, 1984, with the exception of volume 16 of the Main File and volumes 17 and 18 of the 1A Supplements which were delivered on November 6, 1984, and volume 17 of Sub C-2 which was received on February 9, 1985.

To insure that all information contained within FBI files, which may be relevant to the Bronx County, New York, prosecutions, was processed for possible dissemination, on December 6, 1984, FBIHQ Supervisor [redacted] caused a teletype to be sent to all field offices directing them to search all indices for references to persons and companies included in the Bronx County, New York, indictments. The field offices replied by teletype or airtel and synopsisized the nature of the file or references. The synopsisized replies were then examined by the Task Force for potential relevance to the Bronx County, New York, prosecutions or to the possible violations reviewed by the Department of Justice. In some instances, the field office replies caused a Task Force review of the entire field office file.

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To aid the Task Force it was necessary to obtain logistic support. This was accomplished by assigning two clerical employees to the Task Force for the exclusive purpose of pulling serials from the files and making necessary photocopies and for other clerical duties. It was also necessary to assign one additional clerical employee to general administrative duties which included nominal supervision of the clerks assigned photocopying duties. A clerk/typist was assigned for the large amount of required typing, and data entry for a Task Force computer data base established exclusively for the review and dissemination process.

Since the TUMCON Investigation had been loaded into the [redacted] data base, it was necessary to query that system for information. For this work the Task Force was assisted by SA [redacted] and Analyst [redacted] of the Investigative Support Services Unit of the Technical Services Division (TSD). These individuals responded in a timely manner to numerous requests for information from the Task Force. [redacted] extracts and reports included over 25,000 pages of information. During the life of the Task Force it was necessary to work very closely with the TSD personnel. From the information gathered through [redacted] and the review of the TUMCON files, a computer data base was developed for the use of the Task Force. This data base, an R-Base 4000 application on a Burroughs B-26 Microcomputer System was used for the restructuring of information and the control of the massive amount of documents. The clerk/typist was trained by a member of the Task Force in the use of the Burroughs B-26 Microcomputer System which significantly enhanced the word processing and typing performance. In all, the data base summarized into over 5,000 records of information.

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On December 7, 1984, six experienced Legal Technicians from the Civil Discovery Review Unit II (CDRU II), LCD, were

detailed to the Task Force and conducted a page-by-page examination of the TUMCON file. The CDRU II group identified and flagged information in the file which may be direct evidence of the matters alleged in the Bronx County, New York indictments, People v. Schiavone Construction Corporation, et al and People v. Masselli [redacted] The Legal Technicians also processed the file for release to the Bronx County, New York, District Attorney, through the Department of Justice, asserting various government and common law privileges as necessary, with the final decision on release of information to Mr. Merola being made by the Department of Justice with FBI concurrence.

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A review of the New York TUMCON file (183-1290) consisting of 235 volumes by the Task Force resulted in identifying the following possible criminal violations which have been organized in report form and forwarded to [redacted] for determination if sufficient evidence exists to warrant prosecution, if further investigation is recommended, or for any other action deemed appropriate.

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1. Jopel Contracting and Trucking Company representing itself as a Minority Business Enterprise and/or obtaining business contracts as a result of such misrepresentation.

2. Utilization of the Long Island Railroad property on Vernon Boulevard as a dump site by Jopel Contracting and Trucking Company and General Filling and Grading Company. Payoffs were made to individuals at the Long Island Railroad and possibly Metropolitan Transit Authority in order to obtain this contract.

3. Alleged bribery of [redacted] by Joseph Ippolito, President, General Filling and Grading Company.

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4. Possible bribery of [redacted] by Alfonse Indelicato, also known as "Sonny Red," to introduce "The Returned Parolees Bill", which would benefit Indelicato since he had been released on parole for supervision by the New York State Division of Parole for the duration of his natural life.

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5. Possible bribery of [redacted]

[redacted] by William P. Masselli [redacted]
This bribery allegation revolves around the parole of [redacted] and attempts for the early release of [redacted]

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17. Possible bribery of labor and/or New York City officials in order to obtain contracts to insure labor peace.

[REDACTED]

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18. Possible loansharking activities by Masselli [REDACTED]

[REDACTED] obtained a \$5,000 loanshark loan through the assistance of William Masselli [REDACTED]

[REDACTED] This money was to be given to [REDACTED] and [REDACTED] who were to [REDACTED] in a

[REDACTED] prosecution being presented before New York State Justice William Dorhon. [REDACTED] had pleaded guilty to the

[REDACTED] charge and was counselled to commit perjury in an effort to have the guilty plea withdrawn. Through William Masselli, [REDACTED] also obtained the assistance of New York

[REDACTED] in an effort to minimize any sentence obtained.

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19. Possible violations regarding narcotics activity of William P. Masselli, [REDACTED]

[REDACTED] This also includes the shooting of a Cuban narcotics subject by an agent (not further identified) and the subsequent taking of a kilo of drugs from the Cuban.

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20. Illegal trafficking of firearms and silencers by William Masselli [REDACTED]

[REDACTED]

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21. Possible criminal violations of [REDACTED] involving loansharking, numbers, "craps" games, and the purchase of weapons.

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22. Possible bribes paid through former New York City Borough President Percy Sutton to obtain contracts for [REDACTED]

[REDACTED]

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23. Possible bribery of [REDACTED]

[REDACTED]

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24. Possible violations concerning the business practice and minority status of W&M Rental Corporation which was owned by William Masselli [REDACTED] as it pertained to inflating costs of Masselli's other supposed minority firm, Jopel Contracting and Trucking Company. It was also alleged that W&M Rental Corporation was the vehicle for a \$20,000 kickback paid to someone within Schiavone Construction Company in return for a loan to W&M Rental Corporation for \$200,000.

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25. Possible violations involving a 10% kickback from [redacted] DeFilippis Crane Service, in return for William Masselli, through W&M Rental Corporation, placing one [redacted] on the job site within Jopel's subcontract with Schiavone Construction Company.

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26. Possible violations involving fraud against the Department of Housing and Urban Development by William Masselli, [redacted] Pasquale Pagano, [redacted] [redacted] These allegations center around rehabilitation of the HUD funded projects located at East Fordham Road, the Bronx; Avenue St. John, the Bronx; and in Harlem.

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27. Possible bribery of government officials by William Masselli in an effort to obtain contracts for the Summer Lunch Program sponsored by the U.S. Department of Agriculture.

28. The June, 1979, murder of Attorney Archimedes Cervera. The TUMCON file revealed nothing of relevance concerning this murder; however, the [redacted] informant file and New York file 86-260 did contain information [redacted]

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[redacted] The report prepared and submitted to [redacted] is based on information from the New York investigation.

29. A report was prepared from documents reviewed in New York file 183-2997, concerning the William P. Masselli ordered arson of [redacted] business, Cobar Construction Company, on April 27, 1981. This arson was [redacted] and an associate.

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30. At the request of [redacted] a review was made of the [redacted] in the TUMCON file to identify all [redacted] These documents were then packaged and submitted to [redacted]

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The Task Force also reviewed the TUMCON auxiliary office files from sixteen field offices consisting of thirty-five volumes plus the enclosures behind files, to insure that no pertinent information concerning the above possible criminal violations was overlooked.

While reviewing the TUMCON file (NY 183-1290), [redacted] auxiliary office files, and the file of the [redacted] there were a number of [redacted] for which prosecutive reports were not prepared. Set out below is the nature of the allegation and the reason(s) for not seeking a prosecutive opinion or recommendation.

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1) Hijacking of truckloads of meat, cheese, shrimp, and batteries involving William P. Masselli and others-- these cases were successfully prosecuted in the Southern District of New York in 1981. The prosecutive evidence in the possession of AUSA [redacted] S.D.N.Y. was reviewed by members of the Task Force and a synopsis of these matters was submitted to [redacted] for his use.

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2) Production of synthetic cocaine by William P. Masselli [redacted] This matter was also successfully prosecuted in the Southern District of New York in 1981. A synopsis of this case was submitted to [redacted] after a review of the file at the S.D.N.Y.

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3) The proposed illegal laundering of money through a company to be named L.B.J. Corporation. The files reviewed contain only the bare allegation [redacted]

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However a review of available files indicated that this company was never established nor was there any further indication of money laundering.

4) The murder of Samuel Feinburg - a review of the TUMCON file revealed nothing of relevance to this matter. [redacted] concerning this murder were forwarded to the Queens County, New York, District Attorney by the New York Office. This information was provided through [redacted] to the Bronx County, New York, District Attorney. Feinburg was murdered in the Bronx and his body left in Queens.

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5) The murder of Salvatore Frascone. The possibility exists that the basis for this murder rested with [redacted]

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[redacted] The documents concerning this were contained in the Jopel report dated 12/10/84, and submitted to [redacted] The [redacted] could have been the initial step leading to the ultimate murder of Salvatore Frascone [redacted] at William P. Masselli's direction. [redacted] concerning this murder were forwarded to [redacted] with other material in [redacted] informant file deemed relevant to the Bronx County, New York, prosecutions.

A complete review of the New York TUMCON file was undertaken by the Task Force to identify and forward to [redacted] any information deemed pertinent to the Bronx County, New York, indictments, People v. Schiavone Construction Corporation,

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et al and People v. Masselli [redacted] Legal Technicians from CDRU II LCD twice reviewed the file. As a final check, the Task Force reviewed the final product produced by the Legal Technicians. Every effort was made to insure that all information from the TUMCON file which could be disseminated to Mr. Merola was made available to [redacted] for his final determination as to its release.

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The New York TUMCON file 183-1290, consists of 235 volumes [redacted] The following sub files will be made available to the Bronx County, New York, District Attorney personnel for their review in their entirety, except for that information which is deemed privileged (redacted):

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1. Main file consisting of sixteen volumes. It should be noted that serials 23, 33, 502, 508, 509, 1307, 1405, 1615, and 1682 were not located in the file during the review.
2. Sub 1A consisting of eighteen volumes. Several 1A Exhibits had been turned over to AUSA [redacted] SDNY (the attorney assigned initial prosecution of the case.), and are not in the file. Serials 1A4 and 1A17 were not located in the file and their whereabouts are unknown.
3. Sub 1AA consisting of one volume.
4. Sub B consisting of one volume.
5. Sub BB consisting of one volume.
6. Sub C, "Masselli Project," consisting of twelve volumes. The following Sub C serials were not located in this file during the review: 40, 41, 246, 775, 775D, 819, 820, 912, and 1323 through 1332. It was also noted in the file that serial 754 was serialized in error.
7. Sub C-1A consisting of eight volumes. Several 1A Exhibits from this file had been turned over to AUSA [redacted] and are not in the file. Serials 1A4, 1A8, and 1A9, were not located in the file and their whereabouts are unknown.
8. Sub CC consisting of one volume.
9. Sub C-10 "Original FD-302's," consisting of three volumes. Serial 109 was not located in this file during the review.

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10. Sub D, "[redacted] Project," consisting of one volume.
11. Sub D-1, "[redacted] Project," consisting of one volume.
12. Sub DD, "Administrative," consisting of one volume.
13. Sub E, "[redacted] Project," consisting of one volume.
14. Sub EE, "Administrative," consisting of one volume.

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15. Sub F, [redacted]
only privileged information included in this sub file was found on administrative pages accompanying the subpoenas. The following Sub F serials missing from the file were checked out on an FD-5 by SA [redacted] 1A1 through 1A10, 17, 28, 34, 46, 64, 67 through 71, 77, 83, 84, 85, 86, 88, 89, 90, 91, 98, 98A, 100, 101, 106, 107, 108, 109, 112, 113, 114, 115, 125, 149, 171, 172, 173, 176 through 182, 185 through 201, 203, 223, 224, 253, 253A, 254, 256, 280, 281, 290, 291, 318, 319, 367, 371, 387, 388, 405, 426, 427, 428, 431, 439, 440, 523 and 524. Other serials not located in the Sub F file, and are not signed out are: 48, 99, 105, 110, 111, 238, 406, 460 through 469 and 475. A note in the file indicated that serials 150, 151, and 152 had been serialized in error. It should also be noted the majority of this [redacted] and these records were computerized by FBIHQ. A printout of this information was provided to [redacted] for further dissemination once appropriate access orders are obtained by Mr. Merola's office.

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16. Sub F-1A, consisting of three volumes. Serials 1 through 14, 16, 17, and 19 through 33 had been checked out of the file on form FD-5 by SA [redacted]
17. Sub FF, "TFIS Matters," consisting of one volume.
18. Sub G, [redacted] Project," consisting of one volume.
19. Sub GG, consisting of one volume.
20. Sub G-1, [redacted] Surveillances," consisting of one volume.
21. Sub H, "Dissemination Control," consisting of one

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volume. Serial 23 was not located during the review of this sub file.

22. Sub HH, "Administrative," consisting of one volume.

23. Sub II, "Administrative," consisting of one volume.

The following guidelines were utilized in determining what information was deemed privileged and so coded on the processed (redacted) copy of the file being made available to Mr. Merola and his staff:

Governmental Privileges:

A. Information which is properly classified pursuant to Executive Order, the disclosure of which could reasonably be expected to cause damage to the national security or the conduct of the Government's international relations.

B. Information, the disclosure of which would reveal the identity of an informant.

C. Informant symbol number.

D. Informant file number.

E. Information, the disclosure of which would identify a source of information with whom there is a presumption of confidentiality.

G. Information, the disclosure of which could jeopardize an ongoing investigation.

H. Information, the disclosure of which would obviate the effectiveness of an investigative method or technique.

I. Information, the disclosure of which would divulge opinions, recommendations, and advice generated in the process of formulating policies and making decisions.

Statutory Privilege:

J. Information, the disclosure of which is prohibited by statute (with citation to the applicable statute).

Common Law Privileges:

K. Attorney - client privilege.

L. Attorney work product privilege.

M. Other, as specified.

Other General Objections (Privileges):

N. Information which originated with another Government agency or foreign government and which must be referred to that agency or government for review.

O. Information, the disclosure of which would be an unwarranted invasion of the personal privacy of individuals not parties to this litigation.

P. File numbers from other cases.

The following sub files from the New York TUMCON File 183-1290 were made available for release to Mr. Merola through [redacted] in their entirety:

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1. Sub C-1, "Masselli Surveillances," consisting of thirty-four volumes. This entire sub file containing physical surveillance logs, surveillance photographs and surveillance FD-302's was duplicated and arranged in chronological order by the project team.

2. Sub C-2, "Administrative/Affidavits," consisting of eighteen volumes. In addition to the eighteen volumes of affidavits with administrative pages contained in the TUMCON file, the Task Force also obtained all affidavits including the five-day and other applications, reports, and orders which in 1979 and 1980 were submitted to the Court, from the United States Attorney's Office, Southern District of New York. Comprehensive copies of this material was forwarded to [redacted] for his use. The administrative cover pages contained in the file were reviewed for privileged information. It should be noted that serials 1b and 207 were not located in the file and serial 118 had the following pages missing: 2 through 12, 14, 15, 17, 19, 22 through 28, 30, 31, 34 through 38, 40, 41, 43, 47 through 55, 58, 61, 62. Also a thorough review of all the documents presented to the Court was conducted at the request of [redacted]. This review consisted of identifying all references to the name [redacted] and then providing extracts from the documents to summarize the context of each usage of the name.

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3. Sub C-3, "Technical Logs," consisting of twenty-seven volumes were included with the five day reports in affidavit format and submitted to the Court by the U.S. Attorney's Office, Southern District of New York. Dissemination of the material was made as described in item #2 above.

4. [redacted]

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[redacted] were reviewed and those which were deemed the most pertinent to the Bronx County, New York, prosecutions were so identified. [redacted] were not [redacted] since Mr. Merola is [redacted]

5. Sub C-5, [redacted]

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[redacted] were included with the five day report affidavits of the U.S. Attorney's Office. Dissemination of the material was made as described in item #2 above.

6. Sub C-6, [redacted]

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[redacted] were included with the U.S. Attorney's Office five day report affidavits. Dissemination of the material was made as described in item #2 above.

7. Sub C-7, this file was incorporated into Sub C-4.

8. Sub C-8, [redacted]

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[redacted] were included with the five day report affidavits. Dissemination of the material was made as described in item #2 above.

9. [redacted]

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[redacted] were included with the five day report affidavits. Dissemination of the material was made as described in item #2 above.

10. Sub C-11, "Newspaper Clippings," consisting of one volume.

11. Sub C-12, [redacted]

[redacted] were not processed for production to the Bronx County District Attorney since these are [redacted] in Sub C-4 as a more correct copy. All of the Sub C-4 [redacted] made available.

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The following additional files were identified and reviewed by the Task Force to identify and forward to [redacted] any information deemed pertinent to the Bronx County, New York, indictments, People v. Schiavone Construction Corp., et al and People v. Masselli [redacted] and to the information submitted to the Department of Justice for prosecutive opinion.

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Newark file 26-0, serial 5156 (originally identified as Newark file 26-56) was reviewed and it was determined that this document was not relevant to the Bronx County, New York, prosecutions.

FBIHQ file 58-10706 consisting of one section and fourteen serials was reviewed and nothing contained in this material was believed to be pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 58-11141, captioned "William Masselli, [redacted] Federal Correctional Institution (FCI), Ray Brook, New York, Bribery," consisting of one section and seven serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 58-11334, captioned [redacted] et al, Bribery," consisting of one section and 16 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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New York file 86-260, captioned [redacted] dba Welmetco, Ltd., Eastern/Salkover Metal Processing Corporation," is a New York investigation primarily involving fraud against the Small Business Administration. During this investigation, Archimedes Cervera, Corporate Attorney and partner in some of the captioned companies, was murdered. A report containing those documents deemed pertinent to the murder of Cervera was submitted to [redacted] for possible release to the Suffolk County, New York, District Attorney.

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Newark file 92-4235, captioned [redacted] ET AL; AR-Hobbs Act," consisting of one volume and ten serials was reviewed and no information was identified which was deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 122-5088 consisting of eleven sections and 196 serials. Review of this file identified portions of a prosecutive report, pages 652 through 681, and a New York teletype dated May 22, 1981, serial 128, which may be pertinent to the Bronx County, New York, prosecutions.

[redacted] captioned [redacted] consisting of five volumes, three in the Main file and two in a Sub A was reviewed by Unit Chief [redacted] Those portions of the file deemed pertinent as articulated by [redacted] to the Bronx County indictments as articulated by [redacted] were identified, duplicated and forwarded to CDRU II Unit

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Chief [redacted] for further review and then forwarded to [redacted] for possible dissemination to Mr. Merola and the Suffolk County, New York, District Attorney. Copies of informant payment certifications were obtained from the Voucher and Payroll Section and forwarded to [redacted]

FBIHQ file 166-5684, captioned [redacted] ITAR-Bribery," consisting of one section and 15 serials. Review of this file identified portions of a prosecutive report, pages 14 through 17 which may be pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 166-5724, captioned "Municipal Sanitary Landfill Authority (MSLA); New Jersey State Municipal Contractors Association (NJSMCA); ITAR-Bribery," consisting of two sections and 43 serials. A review of this file identified an interview of [redacted] dated March 5, 1983, which may be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 166-6763, captioned [redacted] et al, ITAR-Bribery," consisting of one section and 32 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 166-8471 was reviewed. This investigation, though addressed by Special Prosecutor [redacted] may be wholly pertinent to the Bronx County, New York, prosecutions. The FOIA Section is processing this file and, upon completion, the redacted portions will be further reviewed for any additional dissemination to the Bronx District Attorney.

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FBIHQ file 179-2423, captioned "Lockup; ECT," consisting of one section and 44 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

New York file 183-1521, captioned "William Masselli; unsubs; Irregularities in Contracts made in the Summer Lunch Program," consisting of one main volume and one Sub A volume. This file was reviewed and no information was identified which would be deemed pertinent to the Bronx County, New York, prosecutions. However, a report was prepared and submitted to [redacted] per his request.

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FBIHQ file 183-1521, captioned [redacted] dba U.S. Electronics, 4235 Nieman Road, Lenexa, Kansas; RICO," consisting of one section and six serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 183-2011, captioned "TUMCON," consisting of six sections. This file primarily contained duplicates of communications and information which is contained in New York 183-1290. That information not contained in the New York file was identified for dissemination unless it was considered privileged information. It should be noted that serial 124 was not located in the file.

New York file 183-2997, captioned "William P. Masselli, aka, Et Al; Salvatore Frascione - Victim; RICO - MURDER," consisting of one main volume, Sub A and Sub B was reviewed. Based on documents located in this file, a report concerning the arson of Cobar Construction Company equipment was prepared for Mr. Coffey. Also located in this file were the Death Certificate and autopsy report of Salvatore Frascione and two interviews of William Masselli, all of which have been submitted to Mr. Coffey.

FBIHQ file 183-3558, captioned "[REDACTED] RICO - IGB; Gambling; Extortion; Arson," consisting of one section and six serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 183-3750, captioned "FASTRAX, RICO," consisting of 15 sections and 868 serials. Review of this file identified a September 23, 1981 interview of [REDACTED] which may be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 183-4153, captioned "RIPCON; RICO," consisting of one section and twelve serials was reviewed and no material was identified which was deemed pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 183-5838 consisting of seventeen sections and 1228 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 183-6048 consisting of five sections with 133 serials. The following seven reports of interview were identified as being potentially relevant to the Bronx County, New York, prosecutions:

<u>DATE</u>	<u>INTERVIEWEE</u>	<u>PAGES</u>
8/26/82	William P. Masselli	2
8/27/82	William P. Masselli	2
9/1/82	William P. Masselli	1
9/2/82	William P. Masselli	1

9/8/82

William Pellegrino
Masselli

12

9/23/82

William P. Masselli

4

9/24/82

1

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FBIHQ file 183-6421, captioned "AMDEX; RICO-MURDER," consisting of two sections and 142 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 183-6493, captioned "Unsubs; William Pelligrino Masselli, aka Billy Masselli; RICO - ARSON - MURDER," consisting of one section and four serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions. The New York file on this case was also reviewed. Information from that review was provided to [redacted]

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FBIHQ file 190-37641, captioned "Freedom of Information and Privacy Act Request; [redacted] aka [redacted] Social Security [redacted] consisting of one section and 14 serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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New York file 194-417, captioned [redacted] Bronx County, N.Y., consisting of one main volume and sub volumes A through D was reviewed and no information was identified which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 197-0, serial 482, Civil Action No. 83-1108S (Newark 197-116), captioned "Schiavone Construction Company; a New Jersey Corporation [redacted] individually, plaintiffs vs. [redacted] defendant," consisting of one section. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

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FBIHQ file 197-4314, captioned, "Raymond J. Donovan, Secretary of Labor, United States Department of Labor versus the Rose Law Firm, LR-C-83-784," consisting of one section and two serials. This review did not identify any information which would be deemed pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 197-4854, captioned "Schiavone Construction Company versus Time, Inc., U.S. District Court of Appeals for the Third Circuit, Civil No. 83-5663," consisting of one section and three serials. This review identified no information which would be deemed pertinent to the Bronx County, New York, prosecutions.

FBIHQ file 197-5159 captioned, "Raymond J. Donovan, Secretary of Labor vs. [redacted] et al," consisting of one section and one serial was reviewed and no material was identified which was deemed pertinent to the Bronx County, New York, prosecutions.

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New York Case file 207-398, captioned "Unsubs; aka [redacted] Schiavone Construction Company, Secaucus, New Jersey, Fraud Against the Government, Department of Transportation (63rd Street Tunnel Project, New York City)." Serial 7 of the file which includes a March 14, 1984, interview of [redacted] and a March 19, 1984, letter from [redacted], may be pertinent to the Bronx County, New York, prosecutions. This file is being processed by the Freedom of Information Act (FOIA) Section. After this processing, redacted portions of the file will be reviewed for possible further dissemination to Mr. Merola.

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FBIHQ 211-15 file captioned, [redacted] Ethics in Government," consisting of 21 sections and ten boxes of enclosures behind the file. A preliminary review of this file by the Task Force revealed that most, if not all, of this file could be potentially pertinent to the Bronx County, New York, prosecutions. Because of this finding, it was recommended that expeditious processing of this file be accomplished by FOIA, and that the Task Force would then review the redacted version for concurrence.

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The two unredacted reports issued by Special Prosecutor [redacted] were reviewed by Unit Chief [redacted]. All information contained in these reports which was identified as possibly relevant to [redacted] prosecutive opinions was brought to his attention via memorandum.

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The following TUMCON auxiliary office files were reviewed and no information was identified which would be deemed pertinent to the Bronx County, New York, prosecutions that was not previously located in the New York TUMCON case file (183-1290).

- A. Albany file 183-455, consisting of two volumes plus 1A's.
- B. Atlanta file 183-356, consisting of one volume plus 1A's.
- C. Baltimore file 183-473, consisting of one volume.
- D. Boston file 183-387, consisting of one volume plus 1A's.

- E. Columbia file 183-124, consisting of one volume plus 1A's.
- F. Detroit file 183-1024, consisting of one volume.
- G. Jacksonville file 183-278, consisting of one volume plus 1A's.
- H. Los Angeles file 183-602, consisting of one volume plus 1A's.
- I. Newark file 183-676, consisting of two volumes plus 1A's.
- J. New Haven file 62A-3306, consisting of one volume.
- K. Philadelphia files 183-277 and 183-144, consisting of two volumes plus 1A's.
- L. Pittsburgh file 183-503, consisting of one volume.
- M. Seattle file 183-181, consisting of one volume.
- N. Tampa file 183-393, consisting of one volume plus 1A's.
- O. WFO file 62A-11506, consisting of three volumes.

The Miami auxiliary office file 183-548, consisting of twelve volumes plus three volumes of 1A's revealed two sets of surveillance photographs labelled 19mm and 20mm, which were not located in the New York TUMCON file (183-1290). Copies of these photographs were included with those from the TUMCON file and were forwarded to [redacted] along with the Surveillance Logs.

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Members of the Task Force travelled to the U.S. Attorney's Office, Southern District of New York and reviewed [redacted] for relevance to the information submitted to [redacted] for prosecutive opinions. A synopsis of [redacted] was prepared for review by [redacted]

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With respect to the administrative condition of the "TUMCON" file, [redacted] surveillance logs and surveillance photographs had to be accounted for, duplicated, re-checked, inventoried and assembled by the agents. This was a time consuming process in that it

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became necessary to reorganize the file to enable the Task Force to accomplish this task. This need to reorganize was not apparent until after considerable time had been expended attempting to cope with the original organization of the file.

On February 22, 1985, the entire New York TUMCON file plus a copy of the processed file was released to the New York office by the Task Force.

It should be noted that the work performed by the Task Force was accomplished through establishment of a close working relationship with the DOJ. On 10/26/84, [redacted] Deputy Chief, Organized Crime and Racketeering Section, DOJ, was assigned as the Department's representative to the Task Force. In this position [redacted] greatly assisted the project through his legal acumen, his willingness to work many additional hours in an effort to meet this additional responsibility, his ability to simultaneously deal with many different personalities, and his unfailing moral support.

[redacted] has acted in a liaison and coordinating capacity with the Bronx County, New York, District Attorney's Office in their prosecutions in the cases of the People v. Schiavone Construction Corp., et al and People v. Masselli [redacted] the Suffolk County, New York, District Attorney's Office in their murder prosecution in the case of the People vs. [redacted] in which [redacted] with the Strike Force, Eastern District of New York; and the United States Attorney's Office, Southern District of New York. Each of these entities have different needs, desires and interests in the project.

[redacted] also acted as the final authority in determining what and how information identified in the TUMCON case files, in the [redacted] informant file or in other investigative files should be handled. He helped establish guidelines for redacting privileged information contained in FBI files, in determining relevance to various investigations or prosecutions, and in establishing the procedures to be followed in order to gain access for review of the material that was processed (redacted) by the Task Force.

Finally, [redacted] is reviewing the potential violations identified by the Task Force in order to render prosecutive opinions. As described above, this work product is quite extensive. In an effort to fully understand and comprehend the voluminous material provided to him in a short time period, [redacted] frequently met with the Task Force members, individually and collectively, to discuss different viewpoints and interpretations of the material. His grasp of the material and attention to detail is most noteworthy. It is anticipated

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#20
FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#2583)

TEXT: VZCZCNYO129

OO HQ

DE NY #0129 1162146

ZNY UUUUU

R 262113Z APR 85

FM FBI NEW YORK (194A-499) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: SSA [REDACTED] ROOM 3865

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BT

UNCLAS

0
BRIBERY-PERCY SUTTON: OO: NEW YORK

REBUAIRTEL TO NEW YORK, DATED APRIL 22, 1985.

ABOVE CAPTIONED CASE "PACKET" HAS BEEN REVIEWED. APPROPRIATE
RECORD CHECKS (I.E. INDICES, [REDACTED] DMV, [REDACTED] ELSUR, b2
NYPD CHECK) HAVE BEEN INITIATED.

IT IS ANTICIPATED THAT THE RESULTS OF THESE RECORD INQUIRIES
WILL BE AVAILABLE NEXT WEEK.

194-5245-3
20 MAY 18 1985

14 JUN 1985

PAGE TWO DE NY 0129 UNCLAS

ADDITIONAL INFORMATION WILL BE PROVIDED TO THE BUREAU UPON
REVIEW OF RECORD INQUIRIES AND COVERAGE OF APPROPRIATE LEADS.

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0129

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NK0017 1131545

PP HQ NY

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FM NEWARK (183-676)

RECEIVED
FBI NEWARK

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FBI NEWARK
INVESTIGATION

T/C
[Redacted]

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TO DIRECTOR, FBI (PRIORITY)

(ATTN: SSA [Redacted] ROOM 3036, CID)

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NEW YORK (PRIORITY)

(ATTN: SAC THOMAS SHEER)

BT

UNCLAS E F T O

PERCY Sy Hen

TIMCOM

RE: BUREAU TELETYPES, DATED APRIL 5, 1985, APRIL 9, 1985, AND
MEMO, [Redacted] DOJ, TO EAD OTTO, DATED MARCH 22, 1985.

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FOR INFORMATION FBIHQ AND NEW YORK, NEWARK CASE RE [Redacted]

[Redacted] (NK 166A-2518) OPENED UNDER SEPARATE CAPTION AND ASSIGNED
SA [Redacted] REPORTED BY TELETYPE TO FBIHQ, APRIL 23, 1985.

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NEWARK IS REVIEWING INDICES AND FILES FOR ANY INFORMATION
PERTINENT TO 28 CASES LISTED IN REFERENCED MEMO BEING HANDLED BY NEW
YORK FOR REFERENCE AND LIAISON PURPOSES, CASES OPENED AS NUMBERED
IN REFERENCED MEMO AND NEWARK AGENTS ASSIGNED AS FOLLOWS:

194-5245

NOT RECORDED
30 MAY 1985

14 JUN 1985 *AL*

PAGE TWO, NX 183-676, UNCLAS E F T O

1-7 - SA [REDACTED]

8-12 AND 12-15 - SA [REDACTED]

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[REDACTED] 16-22 - SA [REDACTED]

23-26 AND 28-30 - SA [REDACTED]

RESULTS OF ABOVE REVIEWS WILL BE FURNISHED FBIHQ AND NEW YORK
ON EXPEDITE BASIS.

BT

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4/24/85

UNCLAS E F T O

PRIORITY

FM DIRECTOR FBI

TO ADIC NEW YORK PRIORITY

ATTENTION: SAC THOMAS SHEER AND ASAC FRANCIS STOREY, JR.

BT

NCLAS E F T O

TUMCON; SPECIAL PROJECT TO RESOLVE 30 IDENTIFIED INVESTIGATIVE
AREAS.

RENYTEL TO BUREAU 4/18/85.

FBIHQ AUTHORITY IS GRANTED FOR THE RENTAL OF SIX {6}
VEHICLES TO SUPPORT THE INVESTIGATION OF THE 30 INVESTIGATIVE
AREAS IDENTIFIED AFTER A REVIEW OF THE "TUMCON" FILES. THESE
VEHICLES ARE ASSIGNED BUCAR NUMBERS [REDACTED] THROUGH AND
[REDACTED] b2
[REDACTED] FUNDS FOR THE RENTAL OF THESE SIX {6}
VEHICLES SHOULD BE OBTAINED FROM THE APPROPRIATE CASE ACCOUNT.
THE TERMINATION DATE FOR THE RENTAL OF THESE VEHICLES SHOULD
NOT EXCEED 7/31/85.

THE CASE AGENT SHOULD ENSURE THAT THESE VEHICLES ARE

JLA:KAC {6}

4/24/85

3076/6

5625

{ATTN: [REDACTED]

- 1 - ASD AUTOMOTIVE MANAGEMENT UNIT {RM 6863}
- 1 - CONFIDENTIAL VOUCHER UNIT {RM 1388}

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194-5245
NOT RECORDED
80 MAY 1985

14 JUN 1985

PROPERLY SERVICED AND REPAIRED AND THAT ALL COSTS ASSOCIATED WITH THE VEHICLES, REGARDLESS OF THE METHOD OF PAYMENT, ARE FORWARDED TO THE NEW YORK AUTOMOTIVE CLERK. THIS IS TO ENSURE THAT APPROPRIATE DATA IS RECORDED ON THE FD-111, MONTHLY MOTOR VEHICLE REPORT.

WHEN THE ABOVE VEHICLES ARE OBTAINED AND PLACED INTO SERVICE, THE NEW YORK OFFICE MUST FORWARD TO FBIHQ, BY BUCAR NUMBER, ATTENTION: ASD, ROOM 6860, EACH VEHICLE'S MAKE, MODEL, VEHICLE IDENTIFICATION NUMBER, MONTHLY COST AND BEGINNING ODOMETER READING. FBIHQ WILL THEN ADD THESE RENTAL VEHICLES TO THE NEW YORK VEHICLE INVENTORY.

BT

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

ADMINISTRATIVE HAS 1 DOCUMENT

INBOX.2 (41608)

RENY 0018
160157 APR 85

TO NEW YORK

TO DIRECTOR PRIORITY

SA [REDACTED] ASSISTANT SECTION CHIEF

SECTION

BT

UNCLAS E F T O

TUMCON

PERCY [REDACTED]
REBUTEL TO NEW YORK, APRIL 5, 1985.

FOR THE INFORMATION OF THE BUREAU, NEW YORK HAS DESIGNATED

SA [REDACTED] THE PRINCIPAL RELIEF SUPERVISOR OF THE GENOVESE
FAMILY SQUAD, AS THE ADMINISTRATIVE COORDINATOR OF ALL FUTURE
CRIMINAL INVESTIGATIVE ACTIVITY REGARDING CAPTIONED MATTER.

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TWELVE (12) EXPERIENCED AGENTS HAVE BEEN ASSIGNED TO SA [REDACTED]
AND WILL ADDRESS THE 30 INVESTIGATIVE AREAS THAT HAVE TO BE PURSUED.

A FULL SCALE INVESTIGATION HAS ALREADY BEEN LAUNCHED CONCERNING THE
ALLEGED BRIBE OF [REDACTED]

FOUR (4) AGENTS ARE ASSIGNED TO THIS INVESTIGATION ON A FULL TIME
BASIS. NEW YORK HAS ALREADY FORWARDED TO THE BUREAU A TELETYPE
CONCERNING THE PROGRESS OF THIS PARTICULAR INVESTIGATIVE AREA.

194-5845
0-93 to NY
9LA:Kac
4-24-85
30 MAY 1985
X 5716
RM 3028

SEE CID ADDENDUM PAGE 4
SEE ASD ADDENDUM PAGE 5

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14 JUN 1985 AR

AN UP-TO-DATE SUMMARY TELETYPE WILL BE SUBMITTED ON APRIL 19, 1985.

THE 12 AGENTS ASSIGNED TO THIS CASE WILL WORK IN SIX 2-MAN TEAMS. IT IS ANTICIPATED THAT ADDITIONAL AGENT RESOURCES WILL HAVE TO BE ASSIGNED AS THESE INVESTIGATIONS PROCEED. FOR EXAMPLE, IN CONNECTION WITH THE [REDACTED] INVESTIGATION, THE NEW YORK OFFICE IS PLANNING 14 SIMULTANEOUS INTERVIEWS TO BE CONDUCTED ON APRIL 24, 1985. SPECIFIC DETAILS WILL BE FURNISHED IN A TELETYPE ON APRIL 19, 1985.

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A REVIEW OF THE MEMORANDUM PREPARED BY DEPARTMENTAL ATTORNEY [REDACTED] INDICATES THAT A CONSIDERABLE AMOUNT OF WORK WILL HAVE TO BE DONE TO FULLY RESOLVE ALL OF THE ISSUES IN CONNECTION WITH THE 30 IDENTIFIED INVESTIGATIVE AREAS. SEPARATE OFFICE SPACE HAS BEEN SET ASIDE FOR THE INVESTIGATIVE TEAM THAT IS GOING TO ADDRESS THIS MATTER. A FULL TIME TYPIST AND PART TIME FILE CLERK HAVE ALSO BEEN ASSIGNED. THE NEW YORK OFFICE, HOWEVER, DOES NOT HAVE EXTRA VEHICLES TO ASSIGN TO THIS INVESTIGATIVE GROUP. BUREAU AUTHORITY IS, THEREFORE, REQUESTED FOR THE LEASING OF SIX (6) AUTOMOBILES FOR A 90-DAY PERIOD SO THAT THE INVESTIGATIVE LEADS CAN BE HANDLED IN AN EXPEDITIOUS MANNER. IF THE INVESTIGATION PROCEEDS BEYOND 90 DAYS, A SUBSEQUENT AUTHORIZATION REQUEST WILL BE SUBMITTED FOR THE

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PAGE THREE UNCLAS E F T O

EXTENSION OF THE LEASE.

BT

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ADDENDUM: CRIMINAL INVESTIGATIVE DIVISION (CID), 4/19/85, JLA/dtd

By way of background, the New York Division is being tasked with resolving 30 areas of investigation that were identified after a review of the "TUMCON" investigative files. This project has been directed by EAD Otto and a special squad consisting of 14 agents to resolve these areas of investigation has been formed by the New York Division. The New York Division's special squad has already begun investigation into one of the areas and will institute investigation into the remaining areas on 4/22/85. CID concurs with this request to lease automobiles as set forth in the attached teletype. EAD Otto has instructed that the resolution of these 30 areas of investigation are to receive the highest priority.

APPROVED:	Adm. Servs.	Laboratory
Director	Crim. Inv. <i>COE</i>	Legal Coun.
Exec.	Ident.	Off. of Cong. & Public Affs.
Exec. AD-LES	Inspection	Rec. Mgmt.
	Intell.	Tech. Servs.
		Training

ADDENDUM: ADMINISTRATIVE SERVICES DIVISION (ASD); ~~WHL: p/b~~; 4/23/85

The ASD concurs with the New York Office's (NYO) request to rent six (6) vehicles to support the referenced undercover operation. The rental period for these vehicles may not exceed 7/31/85. These vehicles are assigned Bucar Numbers [redacted] through and including [redacted]. These rental vehicles should be rented in accordance with the rules and regulations as set forth in the Manual of Administrative Operations and Procedures (MAOP), Part II, Section 6-6.10, Page 461. Funds for the rental of these six vehicles should be obtained from the authorized case account.

b2

The Case Agent should ensure that these vehicles are properly serviced and repaired and that all costs associated with the vehicles, regardless of the method of payment, are forwarded to the NYO Automotive Clerk. This is to ensure that the appropriate data is recorded on the FD-111, Monthly Motor Vehicle Report.

When the above-mentioned vehicles are obtained and placed into service, the NYO must forward by Bucar Numbers, each vehicle's make, model, Vehicle Identification Number (VIN), monthly cost and beginning odometer reading. At that time, FBIHQ will add these rental vehicles to the NYO automotive vehicle inventory.

RECOMMENDATION: That the NYO be granted authority to rent six (6) vehicles to support the referenced undercover operation until 7/31/85.

APPROVED:

Adm. Servs. *EJSA*

Laboratory

Crim. Inv.

Legal Coun.

Off. of Cong.

& Public Affs.

[Signature] Director

Exec. AD-Adm.

Ident.

Rec. Mgmt.

Exec. AD-Inv.

#

Adm. Servs.

NOTE: Based on referenced communication and the concurring Criminal Investigative Division (CID) addendum dated 4/19/85. The CID should prepare and forward a copy of the authorizing communication to the ASD, Automotive Management Unit, Room 6863, and the Confidential Voucher Unit, Room 1388.

FORMS.TEXT HAS 1 DOCUMENT RECEIVED
TELETYPE UNIT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

INBOX.4 (#1345)

TEXT: VZCZCNYO102

24 APR 85 19 37

OO HQ NK

FEDERAL BUREAU
OF INVESTIGATION

DE NY #0102 1141651

ZNY UUUUU

R 241548Z APR 85

FM FBI NEW YORK (183A-1280) (P) (C-6)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPERVISOR

ATTN: FBIHQ SUPERVISOR

ATTN: FBIHQ SUPERVISOR

OCS

WCCS ✓

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FBI NEWARK IMMEDIATE

ATTN: SUPERVISOR

BT

UNCLAS SECTION 1 OF 2

REFERENCE DIRECTOR TELETYPE TO NEW YORK (NY), DATED APRIL 5,

1985 AND CONFERENCE WITH FBIHQ SUPERVISORS

AND

ON APRIL 22, 1985 AT NY.

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194-5245
NOT RECORDED
30 MAY 1985

M
By Time 250

14 JUN 1985

AS THE BUREAU IS AWARE, NY HAS OPENED SUBSTANTIVE CASES IN THE
THIRTY (30) AREAS OF INVESTIGATION OUTLINED IN REFERENCED
COMMUNICATION. AGENTS AND THIRTY (30) ASSIGNED CASES ARE AS
FOLLOWS:

AREA NUMBER NY CASE FILE NO. CASE AGENT

1) [REDACTED]
RAILROAD BRIBERY 183A-3429

2) [REDACTED]
BACKGROUND 183A-3424
INFORMATION

3) [REDACTED]
HOMICIDE 183A-3423

4) [REDACTED] FUEL 58A-2546
ALLOCATION BRIBERY

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18) FASTRAX.

183A-3428

19) CONSPIRACY TO

183A-3427

MEMBER

20) REHABILITATION OF

184A 499

SECTION

21) REHABILITATION OF

147A-2944

SEVENTH AVENUE,

HARLEM

22) REHABILITATION OF

147A-2946

AVENUE ST. JOHN,

BRONX

23) REHABILITATION OF

147A-2945

EAST FORDHAM ROAD

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1 2

APRIL 9, 1985

UNCLAS E F T O

IMMEDIATE

FM DIRECTOR FBI

TO ADIC NEW YORK (IMMEDIATE) PERSONAL ATTENTION SAC THOMAS
SHEER AND ASAC FRANCIS J. STOREY, JR.

FBI NEWARK IMMEDIATE

PERSONAL ATTENTION SAC

FBI WASHINGTON FIELD IMMEDIATE

PERSONAL ATTENTION SAC

BT

UNCLAS E F T O

TUMCON

REBUTEL TO RECEIVING OFFICES DATED 4/5/85.

THE REFERENCED TELETYPE ADVISED THE RECEIVING OFFICES
THAT FBIHQ WILL FORWARD 30 INVESTIGATIVE PACKAGES THAT WERE
IDENTIFIED AS HAVING FURTHER INVESTIGATIVE POTENTIAL OR NEEDING
FINAL PROSECUTIVE OPINIONS. IT IS NOTED THAT UPON RECEIPT OF
THESE INVESTIGATIVE PACKAGES, RECEIVING OFFICES ARE TO DETER-
MINE IF THE SUBJECTS IDENTIFIED IN THESE PACKAGES HAVE BEEN OR

JLA:KAC (10) 4/9/85 3076/6 5625

- 1 - MR. OTTO
- 1 - MR. MINTZ
- 1 - MR. REVELL
- 1 - MR. CLARKE

ATTN:

(SEE NOTE PAGE THREE)

194-5315-

NOT RECORDED

30 MAY 1985

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14 JUN 1985

2

ARE NOW THE SUBJECT OF INVESTIGATION WITH THE OBJECTIVE OF LEARNING IF THEY ARE PARTICIPATING IN A CONTINUING CRIMINAL CONSPIRACY. THE INTENT OF THE REVIEW OF THESE 30 AREAS OF INVESTIGATION IS TO DETERMINE IF FURTHER INVESTIGATION IS APPROPRIATE. DO NOT INSTITUTE NEW INVESTIGATIONS BASED ONLY ON THE "TUMCON" CASES. PLEASE OBSERVE THE SPECIAL INSTRUCTIONS, CONCERNING THE JOPEL CASE, TO NOT CONDUCT ANY ACTIVITY AT THE PRESENT TIME IN VIEW OF PENDING PROSECUTION BY THE BRONX DA'S OFFICE.

BT

1

PAGE THREE

UNCLAS E F T O

IMMEDIATE

NOTE:

THE ATTACHED TELETYPE ADVISES THE RECEIVING OFFICES THAT UPON RECEIPT OF THE 30 "TUMCON" INVESTIGATIVE PACKAGES THAT THE THRUST OF THE REVIEWS IS TO DETERMINE IF THE SUBJECTS ARE STILL INVOLVED IN ONGOING CRIMINAL ACTIVITY. THE INTENT OF THESE REVIEWS IS NOT TO INSTITUTE NEW AREAS OF INVESTIGATION.

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

1 5

APRIL 5, 1985

CLASSIFICATION
UNCLAS E F T O

PRECEDENCE
IMMEDIATE

FM DIRECTOR FBI

TO ADIC NEW YORK {IMMEDIATE} PERSONAL ATTENTION SAC THOMAS

SHEER AND ASAC FRANCIS J. STOREY

SAC NEWARK {IMMEDIATE} PERSONAL ATTENTION

SAC WASHINGTON FIELD OFFICE {IMMEDIATE} PERSONAL ATTENTION

BT

UNCLAS E F T O

TUMCON

PERCY SUTHER

FOR INFORMATION OF RECEIVING OFFICES, A TEAM OF SPECIAL
AGENTS AND ANALYSTS HAVE RECENTLY CONCLUDED A THOROUGH REASSESS-
MENT OF THE TUMCON FILE. AS A RESULT OF THIS ANALYSIS,

THIRTY AREAS OF INVESTIGATION WERE IDENTIFIED AS POSSIBLY HAVING
FURTHER INVESTIGATIVE POTENTIAL OR NEEDING FINAL PROSECUTIVE
OPINIONS. THESE THIRTY AREAS OF INVESTIGATION WERE PROVIDED TO

[REDACTED] DEPUTY CHIEF, ORGANIZED CRIME AND RACKETEERING
SECTION, CRIMINAL DIVISION, DEPARTMENT OF JUSTICE. [REDACTED]

REVIEW OF THESE MATTERS IS SET OUT IN MEMORANDA DATED MARCH 22,

DO NOT TYPE MESSAGE ENCL. THIS IS

100-100000	OFFICE BY JJB:TJD 1103	DATE 4/5/85	REC'D 3076/6	5625
------------	---------------------------	----------------	-----------------	------

- 1 - MR. OTTO
- 1 - MR. MINTZ
- 1 - MR. REVELL
- 1 - MR. CLARKE

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ATTN: [REDACTED]

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NOT RECORDED
30 MAY 1985

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

14 JUN 1985

1985, TO JOHN E. OTTO, EXECUTIVE ASSISTANT DIRECTOR (EAD).

[REDACTED] ANALYSIS, ALONG WITH PERTINENT INVESTIGATIVE PACKETS PREPARED BY THE ANALYSIS TEAM, WILL BE FORWARDED TO YOU BY FBIHQ. IT SHOULD BE NOTED THAT [REDACTED] RECOMMENDATIONS ARE NOT PROSECUTIVE DECISIONS AND HIS RECOMMENDATIONS HAVE BEEN FORWARDED TO THE U.S. ATTORNEYS IN THE EASTERN AND SOUTHERN DISTRICTS OF NEW YORK, AS WELL AS LOCAL AND NEW YORK CITY PROSECUTORS AS WARRANTED.

ON APRIL 5, 1985, A MEETING WAS HELD AT FBIHQ, CHAIRED BY EAD JOHN E. OTTO, AT WHICH TIME EAD OTTO EXPRESSED THE ABSOLUTE NECESSITY TO HANDLE THESE MATTERS IN A THOROUGH AND PROFESSIONAL MANNER. EXPEDITIOUS HANDLING OF THESE MATTERS WILL BE THE PERSONAL RESPONSIBILITY OF THE SAC'S. EXPERIENCED SA'S, NOT PREVIOUSLY ASSIGNED TO THE TUMCON INVESTIGATION SHOULD BE ASSIGNED TO HANDLE THESE MATTERS.

FOR INFORMATION OF RECEIVING OFFICES, THE THIRTY AREAS OF INVESTIGATION ARE:

011 LONG ISLAND RAILROAD BRIBERY

021 [REDACTED] BACKGROUND INFORMATION

031 ERIKA BUNNE HOMICIDE

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE 3

CONTINUATION SHEET

START HERE

041 DEFILLIPIS FUEL ALLOCATION BRIBERY

051 [REDACTED] BRIBERY

061 FLUSHING AIRPORT BRIBERY CONSPIRACY

071 EXTORTION BY JOHN ARDITO OF JOSEPH IPPOLITO

081 PERJURY BY WILLIAM MASSELLI

091 BRIBING OF [REDACTED]

101 BRIBERY OF [REDACTED]

111 BRIBERY OF [REDACTED]

121 CUBAN NARCOTIC ALLEGATION

131 ALLEGED BRIBE OF [REDACTED]

141 BRIBERY OF [REDACTED]

151 LABOR SHAKEDOWN: [REDACTED]

161 BRIBERY: [REDACTED]

171 LOANSHARKING: [REDACTED]

181 FASTRAX

191 CONSPIRACY TO MURDER [REDACTED]

201 BRIBERY: PERCY SUTTON

211 REHABILITATION OF SEVENTH AVE., HARLEM

221 REHABILITATION OF AVENUE ST. JOHN, BRONX

231 REHABILITATION OF EAST FORDHAM ROAD

DO NOT TYPE MESSAGE BELOW THIS LINE

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DO NOT TYPE MESSAGE BELOW THIS LINE

243 BRIBERY: ALPHONSE INDELICATO

253 [REDACTED] GUN TRAFFICKING

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263 TAKEOVER OF NARGI CONTRACTING AND TRUCKING CO., INC.

273 FINANCIAL AFFAIRS OF JOPEL CONTRACTING AND TRUCKING CO.

{INVIEW OF PENDING PROSECUTION BY THE BRONX DISTRICT

ATTORNEY'S OFFICE, NO ACTION IS TO BE PRESENTLY TAKEN ON

THE JOPEL CASE}

283 FRAUD RELATING TO MBE CONTRACTS

293 SUMMER LUNCH PROGRAM

303 ARSON OF COBAR CONSTRUCTION COMPANY

AS STATED ABOVE, FBIHQ WILL FORWARD INDIVIDUAL INVESTIGATIVE PACKETS, ALONG WITH [REDACTED] ANALYSIS AND RECOMMENDATIONS, OF ALL THE ABOVE-MENTIONED CASES. RECEIVING OFFICES ARE TO IMMEDIATELY NOTIFY FBIHQ BY TELETYPE CONCERNING THE IDENTITIES OF SPECIAL AGENTS ASSIGNED TO INVESTIGATE THESE CASES UPON ARRIVAL OF THE PACKAGES AND WILL THEREAFTER BE REQUIRED TO SUBMIT WEEKLY TELETYPES REGARDING THE PROGRESS OF THESE MATTERS.

DO NOT

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THIS MATTER WILL BE COORDINATED AT FBIHQ BY ASSISTANT SECTION CHIEF, ORGANIZED CRIME SECTION, [REDACTED]

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DO NOT TYPE MESSAGE BELOW THIS LINE

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ROOM 3076, EXTENSION 5625, AND ALL COMMUNICATIONS SHOULD BE
MARKED PERSONAL ATTENTION. IN ADDITION, SSA'S [REDACTED]
EXTENSION 5716 AND [REDACTED] EXTENSION 5682, HAVE ALSO
BEEN ASSIGNED THIS MATTER AT FBIHQ.

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DO NOT TYPE MESSAGE BELOW THIS LINE

NOTE:

On April 5, 1985, EAD Otto chaired a meeting with respective SAC's and OC personnel to express the importance of these investigative matters resulting in the review of TUMCON. Teletype sets out directions set by FBIHQ regarding these matters.

12/19/84)

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
INTERNAL ROUTING/ACTION SLIP

TO	TL#	ROOM	NAME/TITLE	TO	TL#	ROOM	NAME/TITLE
	214	7162	Director		245	7427	
	235	7142	Exec. Ass't. Dir. - Adm.		245	7427	
	235	7116	Exec. Ass't. Dir. - Inv.		245	7427	
	235	7110	Exec. Ass't. Dir. - Law Enf. Serv.		245	7427	
	341	11255	Identification Division		243	5442	Civil Disc. Review Unit I
		Quantic	Training Division		213	7338	Civil Litigation Unit I
	234	6012	Administrative Services Div.		213	7338	Civil Litigation Unit II
	211	5829	Records Management Division		231	3648	Info & Privacy Acts Lit. Unit
	232	4026	Intelligence Division				Figure Unit
	233	5012	Criminal Investigative Div.				Figure Unit
	241	3090	Laboratory Division				Legal Research Unit
	213	7159	Technical Services Division				Freedom of Info Act (FOIA)
	245	7427	Legal Counsel Division		152	1527	Reading Room
	213	7125	Inspection Division		244	6248	Reading Room
	235	7116	Off. of Cong. & Public Affairs		232	4843	INTD - Special Staff
					153	1262	Voucher Unit
							Mr.
							Ms.

- ① This memo should be indexed into appropriate investigative and intelligence files by Crime Inv. Div. and interested field divisions.
- ② The potential prosecutions and the investigative leads that may support other existing or future cases should be discussed with the proper USA's office in order to close those where designations are made and opposite those where we should be working.

☐ Call Me
☐ See Me
☐ Approp. Action
☐ Initial
☐ For Inquiry

☐ For Your Info.
☐ Note & Return
☐ Record & Return
☐ See Reverse Side

FROM

LEGAL COUNSEL

Room

TL#

Phone

Date

1985

12/19/84

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

1 - Mr. Otto
1 - Mr. Revell
1 - Mr. Mintz
1 - Mr. Baker
1 - [redacted]

[redacted] Deputy Chief

March 29, 1985

Organized Crime and Racketeering Section
Criminal Division

John E. Otto
Executive Assistant Director
Law Enforcement Services

PEOPLE V. SCHIAVONE CONSTRUCTION CORP., ET AL.
PEOPLE V. MASSELLI [redacted]

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AR
This will confirm our telephone conversation of March 27, 1985, regarding the case you mentioned in your letter to me of March 22, 1985, concerning [redacted]

In your review of this particular case from the TUMCON investigation you recommended that an effort be made "forthwith" to obtain and review sealed court documents in this case for possible prosecution under Federal statutes. You noted in your analysis of the [redacted] matter that the statute of limitations may not yet have expired. On March 27, 1985, you stated you have already discussed taking this action to unseal the court evidence by having held a conversation to that effect with [redacted] of the Strike Force in the Eastern District of New York. You said you would be following up with him as well as with [redacted] of the Strike Force in the Southern District of New York looking towards possible Federal prosecution. You added that the only present action to be taken by the FBI would be to immediately respond to any requests by either of these Strike Forces for assistance. I have, therefore, requested Assistant Director in Charge Lee F. Laster of our New York Office to be ready to respond immediately to any such requests for FBI assistance.

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Thank you for your continued assistance.

1 - ADIC Laster, New York (PERSONAL ATTENTION)

JEO:dlf

-8-

194-5245-
30 MAY 1985

14 JUN 1985

TUMCON

MAR 28 1985

PEC:raj

M
PERCY SUTTON
[redacted]
Assistant United States Attorney
Chief, Organized Crime Unit
Southern District of New York

[redacted]
Deputy Chief
Organized Crime and
Racketeering Section

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Regarding my memorandum of March 22, 1985, to John E. Otto, Executive Assistant Director, Federal Bureau of Investigation, transmitted herewith are investigative packets #1, 3, 4, 6, 8, and 11-30, inclusive. Packet #2 [redacted] has previously been forwarded for your information. Packets #5, 7, and 9 have been sent to [redacted] for his information - let me know if you want copies. I have retained packet #10 while I consider if it should be forwarded to the Inspector General, Department of Agriculture.

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Assistant United States Attorney [redacted] should probably place these packets with your office's TUMCON files. Please call me as I am very much interested in your reaction to the memo.

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Attachments

cc: [redacted]
Organized Crime Section
Labor Unit
Federal Bureau of Investigation

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194-5245-

NOT RECORDED
30 MAY 1985

14 JUN 1985 *[Signature]*

FORMS.TEXT HAS 1 DOCUMENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

INBOX.1 (#3286)

TEXT: VZCZCNYO176

OO HQ

DE NY #0176 1232232

ZNY UUUUU

R 032202Z MAY 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED]

ATTN: FBIHQ SUPV. [REDACTED]

ROOM 3865

BT

UNCLAS

BRIBERY-PERCY SUTTON; OO:NY.

REFERENCE NY TELETYPE TO DIRECTOR, DATED APRIL 26, 1985.

NEW YORK IS REVIEWING RECORD CHECKS REGARDING CAPTIONED MATTER.

PARTIAL REVIEW OF THESE RECORDS HAS BEEN DONE. NEW YORK IS

CONSIDERING INTERVIEWING [REDACTED]

REGARDING

CAPTIONED MATTER.

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194-5245-4

26 MAY 13 1985

cc-88B

14 JUN 1985

PAGE TWO DE NY 0176 UNCLAS

INVESTIGATION CONTINUING AT NEW YORK.

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Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Monroe *cm/Rux*

Date 5/2/85

From : O.B. Revell

Subject : "TUMCON" SPIN-OFF INVESTIGATIONS

PURPOSE: To set up and maintain in the Special File Room individual Bureau files for the 30 areas of investigation identified during a special review of the "TUMCON" file. Access to these files should be limited to Supervisory Special Agents (SSAs) [redacted] and [redacted] and Assistant Section Chief [redacted]

RECOMMENDATION: That 30 separate Bureau files be set up and maintained in the Special File Room, with access limited to SSAs [redacted] and Assistant Section Chief [redacted]

APPROVED: [redacted]
Director _____
Exec. AD-Adm. _____
Exec. AD-Inv. _____
Exec. AD-LES _____

Adm. Servs. _____
Crim. Inv. *ooc/jg* _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Off. of Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____

DETAILS: During a review of the "TUMCON" file, the following 30 areas of investigation were identified:

1. Long Island Railroad Bribery
OO: NY (NYfile 183A-3429)
(Bufile 183-NEW)
2. [redacted] (Background Information)
OO: NY (NYfile 183A-3424)
(Bufile 183-NEW)
3. Erika Bunne Homicide
OO: NY (NYfile 183A-3423)
(Bufile 183-NEW)
4. [redacted] Fuel Allocation Bribery
OO: NY (NYfile 58A-2546)
(Bufile 58-NEW)

1 - Mr. Revell
1 - Mr. Clarke

1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]

TJK:kac (7)

Trk

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(Continued-Over)

14 JUN 1985

FBI/DOJ

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ORIGINAL FILED IN
183-11-322

194-5245-
MAY 1985

4- Rm. 1991

Memo Revell to Monroe
Re: "TUMCON" Spin-Off Investigations

17. Loansharking - [REDACTED]
OO: NY (NYfile 179A-1977)
(Bufile 179-NEW)
18. FASTRAX; RICO
OO: NY (NYfile 183A-1074)
(Bufile 183-NEW)
19. Conspiracy to Murder [REDACTED]
OO: NY (NYfile 183A-3427)
(Bufile 183-NEW)
20. Bribery - Percy Sutton
OO: NY (NYfile 194A-499)
(Bufile 194-NEW)
21. Rehabilitation of Seventh Avenue, Harlem
OO: NY (NYfile 147A-2944)
(Bufile 147-NEW)
22. [REDACTED] William Masselli; [REDACTED]
[REDACTED] Pasquale Pagano; [REDACTED]
FAG-HUD
OO: NY (NYfile 147A-2946)
(Bufile 147-NEW)
23. [REDACTED]
William Masselli; [REDACTED]
FAG-HUD
OO: NY (NYfile 147A-2945)
(Bufile 147-NEW)
24. William Masselli; Anthony Indelicato (deceased);
[REDACTED] Bribery
OO: NY (NYfile 194A-500)
(Bufile 194-NEW)
25. [REDACTED]
William Masselli; RICO
OO: NY (NYfile 183A-3425)
(Bufile 183-NEW)
26. Takeover of Nagri Contracting and Trucking Co., Inc.;
ECT
OO: NY (NYfile 179A-1978)
(Bufile 179-NEW)

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.4 (#2638)

TEXT: VZCZCNYO161

PP HQ

DE NY #0161 1162429

ZNY UUUUU

R 202237Z APR 85

FM FBI NEW YORK (183A-1290) (P) (C-6) (TUMCON SPECI

TO DIRECTOR FBI PRIORITY

ATTN: SUPERVISOR [REDACTED]

ATTN: SUPERVISOR [REDACTED]

OCS

BT

UNCLAS

PERCY SUTHER

TUMCON: RICO: OO: NEW YORK

REFERENCE NEW YORK TELETYPE TO THE BUREAU, APRIL 23, 1985, AND

NEW YORK SPECIAL AGENT [REDACTED]

TELEPHONE CALL TO FEDERAL

BUREAU OF INVESTIGATION HEADQUARTERS (FBIHQ) SUPERVISOR [REDACTED]

[REDACTED] ON APRIL 25, 1985.

PER REFERENCE TELEPHONE CALL, IT IS ANTICIPATED THAT
INVESTIGATION AT NEW YORK IN THESE 29 CASES CONCERNING THIS MATTER

194-5245-
NOT RECORDED
30 MAY 1985

14 JUN 1985

PAGE TWO DE NY 0161 UNCLAS

MAY INVOLVE INTERVIEW OF THE BRONX DISTRICT ATTORNEY'S OFFICE OR THE
BRONX DISTRICT ATTORNEY'S NEW YORK CITY POLICE DEPARTMENT SQUAD, OR
OTHER YET UNKNOWN CONCERNING VARIOUS MATTERS (SPECIFICALLY NYFILE
183A-3423, CAPTIONED ERIKA BUNNE, HOMICIDE). AS NOTED PER
INSTRUCTIONS OF SUPERVISOR [REDACTED] THESE CONTACTS WILL BE MADE ON
A SPECIFIC NEED BASIS ONLY. AND THE PERSONS CONTACTED WILL BE
ADVISED THAT THESE INTERVIEWS CONCERN THE SPECIFIC MATTER IN
QUESTION.

NEW YORK WILL HOLD IN ABEYANCE ANY INTERVIEWS AT THE BRONX
DISTRICT ATTORNEY'S/BRONX NEW YORK CITY POLICE DEPARTMENT DISTRICT
ATTORNEY'S SQUAD OFFICE UNTIL APPROVED BY FBIHQ.

INVESTIGATION CONTINUING AT NEW YORK.

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#0161

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Exec. AD-Adm. ☒
Exec. AD-Inv. ☐
Exec. AD-LES ☐
Asst. Dir.:
Adm. Servs. ☒
Crim. Inv. ☒
Ident. ☐
Inspection ☐
Intell. ☐
Laboratory ☐
Legal Coun. ☐
Off. of Cong. & Public Affs. ☐
Rec. Mgnt. ☐
Tech. Servs. ☐
Training ☐
Telephone Rm. ☐
Director's Sec'y ☐

FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#4000)

TEXT: VZCZCNY0160

OO HQ

DE NY #0160 1302325

ZNY UUUUU

R 102243Z MAY 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: SUPV. [REDACTED] ROOM 3036

ATTN: SUPV. [REDACTED] ROOM 3865

b6
b7C

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO BUREAU, MAY 3, 1985.

INDICES CHECK REGARDING PERCY SUTTON REVEALED LITTLE
INFORMATION OF VALUE. MOST REFERENCES WERE TO 183A-1290 - TUMCON,
WHICH THE BUREAU IS ALREADY AWARE OF. ADDITIONAL INFORMATION IS AS
FOLLOWS:

144-5345-5
26 JUN 5 1985

14 JUN 1985

PAGE TWO DE NY 0160 UNCLAS

NY 183-1014 - FD 302 DATED AUGUST 13, 1979, REVEALED SUTTON PURCHASED A FIFTY PERCENT SHARE OF THE AMSTERDAM NEWS COMPANY, (A BLACK NEWSPAPER IN NEW YORK).

NY 194-39 - SOURCE INFORMATION DATED NOVEMBER 6, 1978, REVEALED SUTTON TO BE GENERALLY OUT OF THE POLITICAL SCENE BECAUSE OF INCREASED INVOLVEMENT WITH AFRICAN COUNTRIES INTERESTS IN THE UNITED STATES. SUTTON KEEPS ADVISED OF POLITICAL MATTERS [REDACTED]

[REDACTED]

b6
b7C
b7D

A LIMITED REVIEW OF THE NEXIS SYSTEM SHOWED THAT PERCY SUTTON IS PRESENTLY THE HEAD OF THE NEW YORK BASED INNER CITY BROADCASTING CORPORATION.

ADDITIONAL GENERAL INFORMATION REGARDING PERCY SUTTON IS THAT HE IS A BLACK, MALE, DEMOCRATIC POLITICAL FIGURE FROM HARLEM. HE IS A FORMER MANHATTAN BOROUGH PRESIDENT AND A CURRENT DEMOCRATIC LEADER. IN THE LATE 1970'S SUTTON WAS AN UNSUCCESSFUL MAYORAL

PAGE THREE DE NY 0160 UNCLAS

CANDIDATE IN NEW YORK CITY.

INTERVIEW OF [REDACTED] IS BEING HELD IN OBEYANCE [REDACTED]

[REDACTED] A NEW YORK OFFICE TITLE 111. AN

ADMINISTRATIVE DECISION WILL BE MADE REGARDING [REDACTED] INTERVIEW IN
THE FUTURE.

b3
b6
b7C

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0160

NNNN

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20

FORMS.TEXT HAS 1 DOCUMENT
INBOX.1 (#2454)

RECEIVED
TELETYPE UNIT

20
TEXT: VZCZCNY0128

25 MAY 85 09 00

OO HQ

FEDERAL BUREAU
OF INVESTIGATION

DE NY #0128 1442004

ZNY UUUUU

R 241854Z MAY 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED]

ATTN: FBIHQ SUPV. [REDACTED]

ROOM 3865

b6
b7C

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NY TELETYPE TO DIRECTOR, DATED MAY 17, 1985.

CASE AGENT HAS BEEN TEMPORARILY ASSIGNED TO ASSIST THE
INVESTIGATION OF NY 183A-3422; BRIBERY OF [REDACTED]

b6
b7C

174-5245-6
INVESTIGATION OF PERCY SUTTON MATTER HAS BEEN TEMPORARILY HELD

26 JUN 5 1985

14 JUN 1985

PAGE TWO DE NY 0128 UNCLAS

IN ABEYANCE SO THAT THE MORE URGENT MATTER CAN BE ADDRESSED.

b6
b7c

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0128

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#3045)

TEXT: VZCZCNY0124

OO HQ


DE NY #0124 1512045

ZNY UUUUU


R 311820Z MAY 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPV. 

ROOM 3865

ATTN: FBIHQ SUPV. 


ROOM 3036

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO BUREAU DATED, MAY 24, 1985.

A REVIEW OF THE NYO  INDICES FOR PERCY SUTTON REVEALED THE FOLLOWING INFORMATION. THERE WERE FOUR REFERENCES TO NY 183A-1290; TUMCON.

ISIS PRINTOUT OF TELEPHONE LOG REFERENCE DATE JUNE 21, 1979,

194-5245-7

26 JUN 5 1985

14 JUN 1985 

RECEIVED
TELETYPE UNIT

31 MAY 85
FBI
OFFICE OF THE ATTORNEY GENERAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

60324
PME

b2

567

PAGE TWO DE NY 0124 UNCLAS
MAKES NO MENTION OF SUTTON.

[] PRINTOUT OF NEWSPAPER CLIPPING DATED MAY 1, 1979 MAKES NO
REFERENCE OF SUTTON.

b2

[] PRINTOUT OF MEMO REGARDING SOURCE CONTACT DATED OCTOBER
18, 1978 MENTION SUTTON BEING TEMPORARILY OUT OF THE POLITICAL FIELD
BECAUSE OF BEING INVOLVED IN REPRESENTING INTERESTS OF AFRICAN
COUNTRIES IN THE UNITED STATES. HOWEVER, SUTTON KEEPS IN CONTACT
WITH POLITICAL SCENES []

b2
b6
b7C
b7D

[] PRINTOUT OF INDICES RECORD REQUEST OF A TRANS UNION CREDIT
INFORMATION REPORT DATED NOVEMBER 12, 1979 OF PERCY SUTTON.

b2

REVIEW OF NYO DMV PRINTOUT REVEALS THE FOLLOWING INFORMATION
REGARDING PERCY E. SUTTON, DATE OF BIRTH, NOVEMBER 24, 1920, ADDRESS
10 WEST 135TH STREET, NEW YORK, NEW YORK.

INDICES CHECKS OF PRINCIPALS IN THIS INVESTIGATION ARE

PAGE THREE DE NY 0124 UNCLAS

CONTINUING AT NEW YORK.

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0124

NNNN

AIRTEL

APR 22 1985

Director, FBI

PERSONAL ATTENTION

ADIC, New York
Attention: SAC Thomas L. Sheer
ASAC Francis J. Storey, Jr.

BRIBERY - PERCY SUTTON
OO: New York

ReButel to New York, Newark and WFO dated 4/5/85 captioned "TUMCON."

Enclosed for New York and Newark is one copy of a memorandum from [redacted] DOJ, to EAD John Otto dated 3/22/85. Also enclosed for New York and Newark is one investigative package relating to the above-captioned matter.

b6
b7C

As New York is aware, the captioned matter was identified after a team of Special Agents and analysts conducted a thorough assessment of the "TUMCON" file.

[redacted]
That is the extent of the allegation.

b3

New York should thoroughly review this packet and check all appropriate sources to determine if any additional information has been developed regarding payoffs to Percy Sutton. If no additional information is developed, present this matter to the appropriate Federal prosecutor and receive a letter of declination. If positive information is received, report same with recommendation for additional leads. This packet has been provided to Assistant U.S. Attorney [redacted] Chief, Organized Crime Unit, Southern District of New York, by [redacted] DOJ.

b6
b7C

New York should immediately advise FBIHQ by teletype, attention: SSA [redacted] Room 3086, extension 5582, the identity of the Agent assigned to this matter. New York will weekly, by COB Friday, report by teletype the progress of this matter.

b6
b7C

Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

New York is again reminded that this matter is to receive priority attention and no Agents previously associated with the "TUMCON" investigation should be assigned to this matter.

Enclosures (2)
1 - Newark (information)
Attention: SAC James Cagnassola, Jr.
Mr. Otto
Mr. Mintz
Mr. Revell
Mr. Clarke
TJK:kac (13)
MAIL ROOM ☒

b6
b7C

Had called to NY Bureau 4/22/85

1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]
(Attn [redacted])

22 JUL 1985

Airtel to ADIC, New York
Re: Bribery - Percy Sutton

NOTE:

This airtel and enclosures are being sent to advise receiving office of one of thirty matters of investigation stemming from the review of the "TUMCON" investigation. On 4/5/85, a meeting was held at FBIHQ, chaired by EAD Otto, to express the importance of these matters and the SACs will be personally responsible to assure these matters are promptly handled.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1,6)
DATE 07-27-2010

FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#4469)

TEXT: VZCZCNY0147/5

OO HQ

DE NY #0147 1652059

ZNY UUUUU

R 141906Z JUN 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPV.

ATTN: FBIHQ SUPV.

ROOM 3865

b6
b7C

BT

~~UNCLAS~~

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO BUREAU DATED JUNE 7, 1985.

ON JUNE 11, 1985, A REVIEW OF NY ELSUR INDICES WAS CONDUCTED
FOR PERCY SUTTON. THERE WERE SEVEN FILE REFERENCES RANGING FROM
MARCH 27, 1962 TO MARCH 1, 1969. THE RESULTS OF THESE FILE REVIEWS
ARE AS FOLLOWS:

194-5345-9

26 JUL 9 1985

~~SECRET~~

22 JUL 1985

514

~~SECRET~~

PAGE TWO DE NY 0147 ~~UNCLAS~~

(S)

b1

100-111180 SUB 8 DATE MARCH 27, 1962. A REVIEW OF THIS FILE
WAS NEGATIVE FOR PERCY SUTTON.

105-22071 SUB 6, DATE APRIL 16, 1968.

(S)

b1
b6
b7C

100-111180 SUB 10, DATE OCTOBER 11, 1967. TO
STANLEY LEVINSON. THEY SPEAK IN A GENERAL CONVERSATION AND MENTION

b6
b7C

~~SECRET~~

~~SECRET~~

PAGE THREE DE NY 0147 ~~UNCLAS~~

THE NAME PERCY SUTTON. NO CRIMINAL INFERENCES ARE MADE.

THE FOLLOWING REFERENCES AND CORRESPONDING DATES WERE NOT AVAILABLE AND WERE PLACED ON SPECIAL SEARCH BY THE NYO ELSUR SECTION.

105-153735 SUB 2, OCTOBER 12, 1964.

105-8999 SUB 2, JUNE 8, 1964

105-147372, SUB 10, JANUARY 26, 1966.

ON JUNE 11, 1985 A REVIEW WAS CONDUCTED ON THE NY [REDACTED] INDICES FOR PERCY SUTTON. THE ONLY IMIS REFERENCE WAS TO [REDACTED] A REVIEW OF THIS FILE PROVED NEGATIVE FOR SUTTON.

b2
b7D

INDICES CHECKS ARE CONTINUING.

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0147

NNNN

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~~SECRET~~

FORMS.TEXT HAS 1 DOCUMENT

RECEIVED
TELETYPE UNIT

INBOX.1 (#5256)

TEXT: VZCZCNY0129

OO HQ

DE NY #0129 1722127

ZNY UUUUU

R 212033Z JUN 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI (194-5245) (P) IMMEDIATE

AC - ATTN: FBIHQ SUPV.

ATTN: FBIHQ SUPV.

BT

UNCLAS

BRIBERY-PERCY SUTTON; 00:NY.

REFERENCE NEW YORK TELETYPE TO BUREAU DATED JUNE 14, 1985.

ON JUNE 20, 1985, THE FOLLOWING NYO INDICES WERE REVIEWED FOR

b6
b7C

NYO GENERAL INDICES: THERE WERE NUMEROUS REFERENCES TO
BEING CLOSELY ASSOCIATED WITH MAJOR LCN FIGURES, INCLUDING TWO

b6
b7C

194-5245-10

26 JUL 9 1985

22 JUL 1985

517

PAGE THREE DE NY 0129 UNCLAS

NYCPD CHECK FOR [REDACTED] WAS NEGATIVE.

b6
b7C

NYO [REDACTED] INDICES HAD FIVE REFERENCES TO [REDACTED]

b6
b7C

[REDACTED] ADVISED OF CONNECTION BETWEEN [REDACTED]

[REDACTED] IS INVOLVED IN [REDACTED] IN NEW YORK

CITY. [REDACTED] AND FINANCED SOME OF

b2
b6
b7C
b7D

[REDACTED] WERE

INVOLVED IN [REDACTED]

[REDACTED] NEW YORK. [REDACTED] IS THE REPORTED OWNER OF [REDACTED]

[REDACTED] NEW YORK.

[REDACTED] ADVISED OF [REDACTED] HAVING NUMEROUS ORGANIZED CRIME

b2
b6
b7C
b7D

CONTACTS.

[REDACTED] ADVISED OF [REDACTED] CLOSE ASSOCIATION WITH [REDACTED]

b2
b6
b7C
b7D

[REDACTED] IN NEW YORK CITY.

INVESTIGATIONS TO DATE HAS PRODUCED NO POSITIVE INFORMATION
REGARDING CONFIRMING THE ALLEGATIONS MADE IN THIS INVESTIGATION.

RECEIVED
TELETYPE UNIT

FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#6015)

TEXT: VZCZCNY0111

OO HQ

DE NY #0111 1791627

ZNY UUUUU

R 281601Z JUN 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL

TO DIRECTOR FBI (194A-5245) (P) IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED]

ATTN: FBIHQ SUPV. [REDACTED]

BT

UNCLAS

BRIBERY-PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPES TO BUREAU DATED JUNE 21, 1985, AND
JUNE 24, 1985.

174-5245-11

NEW YORK SUMMARIZES INVESTIGATION TO DATE AS FOLLOWS:

JUL 9 1985

ALL NYO INDICES SEARCHES ARE COMPLETED FOR [REDACTED]

b6
b7C

PERCY SUTTON. PARTIAL INDICES SEARCHES ARE COMPLETE FOR [REDACTED]

22 JUL 1985

Exec. AD-Adm.	
Exec. AD-Inv.	
Exec. AD-LES	
Asst. Dir.:	
Adm. Servs.	
Crim. Inv.	6/24/85
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Off. of Cong. & Public Affs.	
Rec. Mgnt.	
Tech. Servs.	
Training	
Telephone Rm.	
Director's Sec'y	

PAGE TWO DE NY 0111 UNCLAS

b6
b7C

INVESTIGATION TO DATE HAS DEVELOPED NO ADDITIONAL INFORMATION
IN EFFORTS TO SUBSTANTIATE ALLEGATIONS MADE IN THIS CASE.

NY PLANS TO COMPLETE INDICES SEARCHES ON

NY IS ANTICIPATING BUREAU RESPONSE TO REQUESTS MADE TO
INTERVIEW SUTTON, (NY TELETYPE TO DIRECTOR,
JUNE 24, 1985).

b6
b7C

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0111

NNNN

-->

FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#7284)

TEXT: VZCZCNY0109

OO HQ

DE NY #0109 1931444

ZNY UUUUU

R 121355Z JUL 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI (194-5245) (P) IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED] ROOM 3036

ATTN: FBIHQ SUPV. [REDACTED] ROOM, 3865

b6
b7C

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO DIRECTOR DATED MAY 3, 1985, MAY
10, 1985 AND JUNE 28, 1985.

ON JULY 5, 1985 AN INTERVIEW WAS CONDUCTED OF [REDACTED]

BRONX, NEW YORK, TELEPHONE [REDACTED]

b6
b7C

194-5245-12
26 JUL 15 1985

22 JUL 1985

PAGE TWO DE NY 0109 UNCLAS

b6
b7C

[REDACTED] ADVISED AS FOLLOWS:

[REDACTED] ADVISED THAT HE KNOWS [REDACTED] TO BE A [REDACTED]

b6
b7C

[REDACTED] IN THE BRONX, NEW YORK. SINCE [REDACTED]

[REDACTED] IS IN THE BRONX, NEW YORK, HE KNOWS OF [REDACTED]

[REDACTED] HAS MET [REDACTED] SEVERAL TIMES OVER THE YEARS AND HAS

[REDACTED] THE

b6
b7C

MEETINGS OF [REDACTED] HAVE OCCURRED AT [REDACTED]

FUNCTIONS FOR [REDACTED]

[REDACTED] ADVISED THAT [REDACTED] HAS NOT USED HIS INFLUENCE [REDACTED]

b6
b7C

[REDACTED] IN ANY

WAY.

[REDACTED] HAS NOT BEEN INVOLVED IN ANY KIND OF BRIBERY IN 1979 OR
AT ANY OTHER TIME WHICH MAY HAVE EFFECTED [REDACTED] OBTAINING

b6
b7C

[REDACTED] IS NOT AWARE OF ANY ALLEGED BRIBE TO
PERCY SUTTON ON BEHALF OF [REDACTED]

PAGE THREE DE NY 0109 UNCLAS

[] ADVISED THAT [] CONTACTED HIM ONCE TO RECOMMEND A MINORITY (BLACK) CONTRACTOR IN THE EVENT ANY OF [] CALLED FOR A MINORITY CONTRACTOR. [] STATED THAT HE NEVER USED THIS MINORITY CONTRACTOR RECOMMENDED BY [] AND HE CAN NOT RECALL THE NAME OF THE CONTRACTOR OR OF HIS COMPANY. THIS IS THE EXTENT OF [] CONTACT WITH []

b6
b7C

[] ADVISED HE HAS NEVER MET WILLIAM MASSELLI, [] [] OR PERCY SUTTON. [] HAS READ ABOUT WILLIAM MASSELLI AND PERCY SUTTON IN THE LOCAL NEWSPAPERS. [] IS NOT AWARE OF ANY INFORMATION CONCERNING WILLIAM MASSELLI OR PERCY SUTTON OTHER THAN WHAT HAS APPEARED IN THE NEWSPAPER. [] IS NOT AWARE OF ANY ALLEGED BRIBE PAID TO PERCY SUTTON IN 1979 OR AT ANY OTHER TIME ON BEHALF OF []

b6
b7C

BUREAU SHOULD BE ADVISED THAT INTERVIEW OF [] WAS CONDUCTED BY SPECIAL AGENTS [] AT THE CONCLUSION OF ABOVE NOTED COMMENTS OF [] REGARDING TUMCON MATTERS, SA [] PROCEEDED TO INTERVIEW [] REGARDING A CURRENT INVESTIGATION WHICH IS IN NO WAY RELATED TO INSTANT

b6
b7C

PAGE FOUR DE NY 0109 UNCLAS

INVESTIGATION.

[REDACTED] COMMENTS TO SA [REDACTED] QUESTIONS ARE NOT INCLUDED IN
THIS TELETYPE.

b6
b7C

NEW YORK WILL COORDINATE PROPOSED INTERVIEW OF PERCY SUTTON AND
[REDACTED] WITH AUSA [REDACTED] NEW YORK WILL WAIT FOR BUREAU
INSTRUCTIONS BASED ON COORDINATION WITH [REDACTED] DOJ.

b6
b7C

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0109

NNNN

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#3745)

TEXT: VZCZCNY0130

OO HQ

DE NY #0130 1582150

ZNY UUUUU

R 072053Z JUN 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPERVISOR,

ATTN: FBIHQ SUPERVISOR,

BT

UNCLAS

BRIBERY-PERCY SUTTON; OO: NEW YORK

REFERENCE NEW YORK TELETYPE TO BUREAU, DATED MAY 24, 1985.

THE FOLLOWING INVESTIGATION WAS CONDUCTED BY SPECIAL AGENT (SA)

[REDACTED] AT NY, NY, ON MAY 30, 1985.

A REVIEW OF THE NYO [REDACTED] INDICES FOR PERCY SUTTON REVEALED THE
FOLLOWING INFORMATION. THERE WERE FOUR (4) REFERENCES TO NY

13 SEP 1985

PAGE TWO DE NY 0130 UNCLAS

183A-1290; TUMCON.

[] PRINTOUT OF TELEPHONE LOG REFERENCE DATE JUNE 21, 1979,
MAKES NO MENTION OF SUTTON.

b2

[] PRINTOUT OF NEWSPAPER CLIPPING, DATED MAY 1, 1979, MAKES
NO REFERENCE OF SUTTON.

b2

[] PRINTOUT OF MEMO REGARDING SOURCE CONTACT, DATED OCTOBER
18, 1978, MENTION SUTTON BEING TEMPORARILY OUT OF THE POLITICAL
FIELD BECAUSE OF BEING INVOLVED IN REPRESENTING INTERESTS OF AFRICAN
COUNTRIES IN THE US. HOWEVER, SUTTON KEEPS IN CONTACT WITH
POLITICAL SCENES []

b2
b6
b7C

[] PRINTOUT OF INDICES RECORD REQUEST OF A TRANS UNION CREDIT
INFORMATION REPORT, DATED NOVEMBER 12, 1979, OF PERCY SUTTON.

b2

REVIEW OF NYO DMV PRINTOUT REVEALS THE FOLLOWING INFORMATION
REGARDING PERCY E. SUTTON: DOB NOVEMBER 24, 1920, ADDRESS 10 WEST

PAGE THREE DE NY 0130 UNCLAS

135TH STREET, NY, NY

INDICES CHECKS OF PRINCIPALS IN THIS INVESTIGATION ARE
CONTINUING.

INVESTIGATION CONTINUING AT NY.

BT

#0130

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ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-27-2010 BY 60324 UC BAW/SAB

FORMS.TEXT HAS 1 DOCUMENT

INBOX.3 (#4744)

TEXT: VZCZCNY0134

OO HQ

DE NY #0134 1372013

ZNY UUUUU

R 171934Z MAY 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED]

ATTN: FBIHQ SUPV. [REDACTED]

ROOM 3865 b6 b7C

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY. *HACPO*

REFERENCE NY TELETYPE TO DIRECTOR, DATED MAY 10, 1985.

NYO RECORDS CHECKS REGARDING [REDACTED] ARE COMPLETE.

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b7C

RESULTS ARE AS FOLLOWS:

GENERAL INDICES: TWO REFERENCES TO 183A-1290, TUMCON. ONE
REFERENCE TO 183A-2636, SUB V, SERIAL 11, PAGE TWO, OCTOBER, 1984.

14 JUL 1985 *AR*

PAGE TWO DE NY 0134 UNCLAS

[REDACTED] WAS DETERMINED TO BE [REDACTED]

[REDACTED] IS DESCRIBED AS A [REDACTED] INVOLVED IN

LOANSHARKING.

b6
b7C

NYO - [REDACTED] NYPD CHECKS WERE NEGATIVE.

b2

[REDACTED] SHOWS TEN REFERENCES TO TUMCON, 183-1290.

b2

[REDACTED] SHOWS ONE REFERENCE WHICH CASE AGENT OF SOURCE RECEIVED
[REDACTED] FILE AND DETERMINED THERE WAS NO MENTION OF [REDACTED]

b2
b6
b7C

DMV SHOWS AN [REDACTED] NEW
YORK, DATE OF BIRTH, [REDACTED] IT IS NOT KNOWN IF THIS
INFORMATION IS IDENT WITH THE SUBJECT.

b6
b7C

ELSUR SHOWS [REDACTED] RE TUMCON, 183-1290.

b3

REMAINDER OF RECORDS CHECKS ARE CONTINUING.

CONTACT WAS MADE WITH SA [REDACTED] NYO, CASE AGENT OF

b6
b7C

PAGE THREE DE NY 0134 UNCLAS

183A-3343. THIS CASE JUST COMPLETED TITLE III COVERAGE [REDACTED]

[REDACTED] SA [REDACTED] IS CONSIDERING INTERVIEW OF [REDACTED] WITHIN THIRTY
DAYS. WRITER WILL TAKE PART IN THAT INTERVIEW IN EFFORTS TO GATHER
INFORMATION RE TUMCON VIOLATIONS. SA [REDACTED] ADVISED [REDACTED] IS
PRESENTLY UNDER INVESTIGATION BY NY STATE AUTHORITIES FOR ANTI-TRUST
VIOLATIONS.

b3
b6
b7C

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0134

NNNN

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FORMS TEXT HAS 1 DOCUMENT

INBOX.1 (#1662)

TEXT: VZCZCNY0160

OO HQ

DE NY #0160 2072356

ZNY UUUUU

R 262335Z JUL 85

FM FBI NEW YORK (194A-499) (P) (TUMCON SPECIAL)

TO DIRECTOR FBI (194-5245) IMMEDIATE

ATTN: FBIHQ SUPV. [REDACTED]

ATTN: FBIHQ SUPV. [REDACTED]

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO BUREAU DATED JULY 12, 1985, NEW
YORK TELCALL FROM SA [REDACTED] TO BUREAU SUPERVISOR [REDACTED]
[REDACTED] DATED JULY 24, 1985.

ON JULY 19, 1985, A MEETING WAS HELD WITH AUSA [REDACTED]
[REDACTED] SOUTHERN DISTRICT OF NEW YORK, REGARDING THE PROPOSED
INTERVIEWS OF [REDACTED] AND PERCY SUTTON. THE FACTS OF THIS

20 JUL 30 1985

97 AUG 01 1985
13 SEP 1985

PAGE TWO DE NY 0160 UNCLAS

CASE AND THE STATUS OF THE INVESTIGATION WERE PRESENTED TO [REDACTED]
[REDACTED] FOR THE PURPOSE OF HIM MAKING A DECISION ON THE INTERVIEWS.

[REDACTED] ADVISED THAT THE CASE HAD NO PROSECUTIVE MERIT DUE TO
INSUFFICIENT EVIDENCE AND THE EXPIRATION OF THE STATUTE OF
LIMITATIONS. HE DECLINED PROSECUTION ON THIS CASE. SINCE HE
DECLINED PROSECUTION, [REDACTED] ADVISED THERE WAS NO REASON TO
CONDUCT THE INTERVIEWS OF [REDACTED] AND SUTTON.

b6
b7C

[REDACTED] ADVISED THAT [REDACTED] GAVE HIM AUTHORITY TO
DECLINE PROSECUTION ON ALL TUMCON RELATED CASES. DURING THIS
MEETING ON JULY 19, 1985, [REDACTED] TELEPHONICALLY CONTACTED [REDACTED]
[REDACTED] ADVISED THAT [REDACTED] GAVE HIM AUTHORITY
OVER THE PHONE TO MAKE DECISIONS ON PROPOSED INTERVIEWS IN ANY
TUMCON RELATED CASES.

b6
b7C

[REDACTED] WAS ADVISED OF THE BUREAU GUIDELINES IN DIRECTOR'S
TELETYPE TO NEW YORK DATED JUNE 29, 1985, REGARDING PROCEDURE FOR
OBTAINING CLEARANCE FOR INTERVIEWS AND FURNISHING DECLINATIONS. MR.
[REDACTED] SAID THAT SINCE [REDACTED] GAVE HIM AUTHORITY TO DECIDE ON
INTERVIEWS AND FURNISH PROSECUTIVE OPINIONS, THERE WAS NO NEED TO

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PAGE THREE DE NY 0160 UNCLAS

COORDINATE SAME WITH THE BUREAU.

NEW YORK OFFICE WILL FURNISH DECLINATION LETTER TO USA'S OFFICE
AND COMPLETE NECESSARY STEPS TO CLOSE CASE.

INVESTIGATION CONTINUING AT NEW YORK.

BT

#0160

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FORMS.TEXT HAS 1 DOCUMENT

INBOX.1 (#3330)

TEXT: VZCZCNY0132

OO HQ

DE NY #0132 2212019

ZNY UUUUU

R 091808Z AUG 85

FM FBI NEW YORK (194A-499) (C) (TUMCON SPECIAL)

TO DIRECTOR FBI (194-5245) IMMEDIATE

ATTN: FBIHQ SUPV.

ATTN: FBIHQ SUPV.

BT

UNCLAS

BRIBERY - PERCY SUTTON; OO:NY.

REFERENCE NEW YORK TELETYPE TO DIRECTOR JULY 26, 1985 AND NEW
YORK AIRTEL TO DIRECTOR JULY 26, 1985.

DECLINATION LETTER FORWARDED TO FBIHQ BY REFERENCED TELETYPE.

BT

#0132

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cc
cc
69 NO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-27-2010 BY 60324 UC BAW/SAB/LSC

09 Aug 85 15 00

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194-5245-16

26 SEP 19 1985

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

AIRTEL

DATE: 7/26/85

TO : DIRECTOR, FBI (194-5245)
(ATTN: FBIHQ SUPERVISOR [REDACTED])
(ATTN: FBIHQ SUPERVISOR [REDACTED])

b6
b7C

FROM : ADIC, NEW YORK (194A-499) (C) (TUMCON SPECIAL)

SUBJECT: BRIBERY-PERCY SUTTON
(OO:NY)

ReNYteletype to Director, dated 7/26/85.

Enclosed for the Bureau are two (2) copies of letter of declination provided to AUSA [REDACTED] Southern District of New York (SDNY).

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In view of the fact prosecution has been declined, NY is placing this case in a closed status.

1-ENCLOSURE

1-3865
2-DESTROYED
TAK
(4)-Bureau (Encls. 2)
2-New York

RSW:iap
(7)

194-5245-17
10 JUL 31 1985

97 JAN 20 1986

567

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

26 Federal Plaza
New York, New York 10278

July 30, 1985

Honorable Rudolph Giuliani
United States Attorney
Southern District of New York
U.S. Federal Building
One St. Andrews Plaza
New York, New York 10007

Attention: [redacted] Assistant United States Attorney

Re: Percy Sutton;

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[redacted]
Rico - Bribery

Dear Sir:

This letter will confirm the conversation between
Assistant United States Attorney [redacted] and Special
Agent [redacted] on July 19, 1985.

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On aforementioned date, Special Agent [redacted] advised
[redacted] of the facts of this case.

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[redacted]
[redacted]
the extent of the allegation.

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Investigation to date has not produced any positive
information that would substantiate the allegations. On July 5,
1985, [redacted] was interviewed and denied any involvement in
above stated allegations.

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HAND CARRIED TO AUSA
SDNY by SA [redacted]
8/7/85.
194-5245-17
ENCLOSURE

Set

On July 19, 1985, [redacted] declined prosecution on the basis of insufficient evidence of any wrongdoing and the statute of limitations had expired.

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In view of this opinion by AUSA [redacted] no further investigation is being conducted concerning this matter.

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b7C

Sincerely yours,

THOMAS L. SHEER
Special Agent in Charge
Criminal Division

By: *Francis J. Storey Jr.*

FRANCIS J. STOREY, JR.
Assistant Special Agent in
Charge
Criminal Division

*Received 8/7/85
up*

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

No Duplication Fees are charged for Deleted Page Information Sheet(s).

Total Deleted Page(s) ~ 82

Page 4 ~ b3, b6, b7C

Page 5 ~ b6, b7C

Page 6 ~ b6, b7C

Page 7 ~ b6, b7C

Page 9 ~ b3

Page 11 ~ b3

Page 12 ~ b3

Page 13 ~ b3

Page 14 ~ b3

Page 16 ~ b3

Page 17 ~ b3

Page 18 ~ b3

Page 19 ~ b3

Page 23 ~ b3, b6, b7C

Page 24 ~ b3, b6, b7C

Page 25 ~ b6, b7C, b7D

Page 27 ~ b3, b6, b7C

Page 28 ~ b3, b6, b7C

Page 29 ~ b3, b6, b7C

Page 30 ~ b3, b6, b7C

Page 31 ~ b3, b6, b7C

Page 32 ~ b3, b6, b7C

Page 33 ~ b3, b6, b7C

Page 34 ~ b3, b6, b7C

Page 35 ~ b3, b6, b7C

Page 36 ~ b3, b6, b7C

Page 37 ~ b3, b6, b7C

Page 38 ~ b3, b6, b7C

Page 39 ~ b3, b6, b7C

Page 40 ~ b3, b6, b7C

Page 41 ~ b3, b6, b7C

Page 44 ~ b3, b6, b7C

Page 45 ~ b3, b6, b7C

Page 46 ~ b3, b6, b7C

Page 47 ~ b3, b6, b7C, b7D

Page 48 ~ b3, b6, b7C

Page 49 ~ b3, b6, b7C

Page 50 ~ b3, b6, b7C

Page 51 ~ b3, b6, b7C

Page 52 ~ b3, b6, b7C, b7D

Page 58 ~ b6, b7C

Page 87 ~ b6, b7C

Page 88 ~ b6, b7C

Page 90 ~ b6, b7C

Page 91 ~ b6, b7C
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Page 141 ~ b6, b7C
Page 143 ~ b6, b7C
Page 165 ~ b2, b3, b6, b7C, b7D